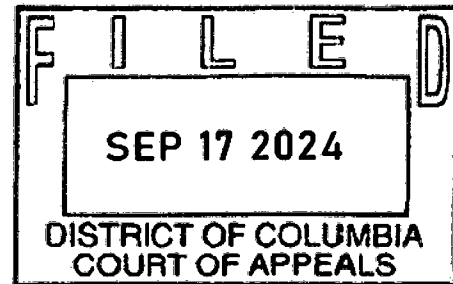


# **APPENDIX A**

**District of Columbia  
Court of Appeals**



No. 24-OA-0016

IN RE DEON D. COLVIN

2019-CA-008113-B

BEFORE: Easterly and Shanker, Associate Judges, and Thompson, Senior Judge.

**ORDER**

On consideration of petitioner's application for waiver of fees and costs, and his lodged petition for a writ of mandamus wherein he requests that the court direct Judge Tunnage to recuse himself from case 2019-CA-008113-B, it is

ORDERED that petitioner's application for waiver of fees and costs is granted and the Clerk shall file the lodged petition for a writ of mandamus nunc pro tunc to September 9, 2024. It is

FURTHER ORDERED that the petition for a writ of mandamus is denied. *See In re M.O.R.*, 851 A.2d 503, 509 (D.C. 2004) (explaining that a writ of mandamus "should only be issued in exceptional circumstances" and that a petitioner must show a "clear and indisputable" right to the relief sought) (internal quotation marks omitted); *see also Plummer v. United States*, 870 A.2d 539, 547 (D.C. 2005) ("Generally. . . legal rulings against appellants, of course, do not constitute grounds for recusal, for any prejudice must stem from an extrajudicial source. . . . Although a showing that a judge's alleged prejudice comes from an extrajudicial source may not be required when the circumstances are so extreme that a judge's bias appears to have become overpowering, [appellant] has not satisfied this most exacting standard." (citation, alterations, and internal quotation marks omitted)).

**PER CURIAM**

Copies e-served to:

Honorable Donald Tunnage

William P. Cannon, III, Esq.

"Appendix A"

**No. 24-OA-0016**

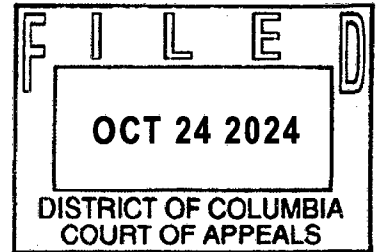
Copy mailed to:

Deon D. Colvin  
743 Fairmont Street, NW  
Apartment 211  
Washington, DC 20001

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# **APPENDIX B**

**District of Columbia  
Court of Appeals**



**No. 24-OA-0016**

**In re DEON D. COLVIN**

**2019-CA-008113-B**

**BEFORE:** Blackburne-Rigsby, Chief Judge, Beckwith, Easterly,\* McLeese, Deahl, Howard, and Shanker,\* Associate Judges, and Thompson,\* Senior Judge.

**ORDER**

On consideration of petitioner's petition for rehearing or rehearing en banc, and petitioner's praecipe of correction for petition for rehearing, and it appearing that no judge of this court has called for a vote on the petition for rehearing en banc, it is

ORDERED by the merits division\* that petitioner's petition for rehearing is denied. It is

FURTHER ORDERED that petitioner's petition for rehearing en banc is denied.

**PER CURIAM**

Copies e-served to:

Honorable Donald Tunnage

William P. Cannon, III, Esquire

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Apartment 211  
Washington, DC 20001

# **APPENDIX C**






Civil Actions

Case Summary

Case No. 2019-CA-008113-B

Plaintiff Colvin, Deon D.

Held and Completed

- 07/16/2024  Motion for Relief Filed (Judicial Officer: Tunnage, Donald Walker)  
*Plaintiff's opposed motion for relief from the court's June 26th order*  
Docketed on: 07/16/2024  
Filed by: Plaintiff Colvin, Deon D.
- 07/16/2024  Motion for Relief Filed (Judicial Officer: Tunnage, Donald Walker)  
*Plaintiff's opposed motion for relief from the courts June 28th order*  
Docketed on: 07/16/2024  
Filed by: Plaintiff Colvin, Deon D.
- 07/18/2024  Notice to Court (Praecipe) Filed  
Docketed On: 07/18/2024  
Filed By: Plaintiff Colvin, Deon D.
- 07/18/2024  Notice to Court (Praecipe) Filed  
Docketed On: 07/18/2024  
Filed By: Plaintiff Colvin, Deon D.
- 08/09/2024  Notice to Court (Praecipe) Filed  
*Plaintiff's Notice Re: Motions Related to Discovery & Computer Problems*  
Docketed On: 08/09/2024  
Filed By: Plaintiff Colvin, Deon D.

08/13/2024



Short Order Entered (Judicial Officer: Tunnage, Donald Walker)

*Pending before the Court is PLAINTIFF'S OPPOSED MOTION FOR RELIEF FROM THE COURT'S JUNE 26TH ORDER. Aside from the procedural authority cited in the motion, Plaintiff seeks substantive relief under Super Court Civil Procedure Rule 60 subsections (b)(1) and (b)(6). Specifically, Plaintiff asks the Court to vacate its previously issued ORDER DENYING MOTIONS TO DISQUALIFY. Based upon a review of Plaintiff's argument and legal authority relied upon in support of his argument, the Court does not find that Plaintiff has established just terms entitling him to the relief under Super. Ct. Civ. R. 60(b)(1) and (b)(6). Indeed, the Supreme Court opinion that Plaintiff relies upon in his motion instructs that "judicial rulings alone almost never constitute a valid basis for a bias or partiality motion." Liteky v. United States, 510 U.S. 540, 555, 114 S. Ct. 1147, 1157 (1994) (observing that "[a]lmost invariably, they are proper grounds for appeal, not for recusal"). Accordingly, the Court does not disturb its June 26, 2024 Order and reaffirms the analysis therein. Motion DENIED.*

Signed on: 08/13/2024

08/14/2024



Short Order Entered (Judicial Officer: Tunnage, Donald Walker)

*Pending before the Court is PLAINTIFF'S OPPOSED MOTION FOR RELIEF FROM THE COURT'S JUNE 28TH ORDER. [Note: The full text of this order is available on the public docket] Relevant Procedural History On January 5, 2024, Plaintiff filed a motion exceeding the page limit imposed by the undersigned judicial officer's Supplement to the General Order. On January 10, 2024, the Court rejected Plaintiff's noncompliant motion, but allowed Plaintiff to refile a page-compliant motion. On January 11, 2024, Plaintiff filed an amended motion within the permitted page limit. On January 11, 2024, Plaintiff separately filed a motion seeking reinstatement of his page noncompliant motion (1st request). As grounds for this relief, Plaintiff argued that his motion was exempt from the page limit because the page noncompliant motion "does not contain a legal memorandum." On January 30, 2024, this Court refused Plaintiff's request to reinstate the page non-compliant motion. On February 8, 2024, (2nd request) Plaintiff filed a motion for clarification of the Court's authority to deny him the relief sought in the January 11, 2024 motion for relief. On June 28, 2024, this Court issued a written order denying Plaintiff's motion for clarification. Plaintiff's present motion represents Plaintiff's 3rd motion asking the Court to revisit its January 10, 2024 ruling that rejected Plaintiff's motion that exceeded the page limit, but permitted Plaintiff to refile a page-compliant motion (which Plaintiff did file). Motion DENIED. See Jackson v. Finnegan, Henderson, Farabow, Garrett & Dunner, 101 F.3d 145 (D.C. Cir. 1996).*

Signed on: 08/14/2024

08/19/2024



Notice to Court (Praecipe) Filed

*Plaintiff's Notice Of Intent To File A Petition For Writ Of Mandamus*

Docketed On: 08/19/2024

Filed By: Plaintiff Colvin, Deon D.

"Appendix C"

# **APPENDIX D**



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
Civil Division**

<b>DEON D. COLVIN,</b>  <b>PLAINTIFF,</b>  <b>V.</b>  <b>743 FAIRMONT ST NW, LLC,</b>  <b>DEFENDANTS.</b>	<b>Case No. 2019 CA 008113 B</b>  <b>Judge D. W. Tunnage</b>
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**ORDER DENYING MOTIONS TO DISQUALIFY**

Pending before the Court are (1) Plaintiff's AMENDED OPPOSED MOTION TO DISQUALIFY JUDGE DONALD W. TUNNAGE, filed on January 11, 2024; (2) Plaintiff's OPPOSED SECOND MOTION TO DISQUALIFY JUDGE DONALD W. TUNNAGE, filed on April 19, 2024; and (3) Plaintiff's OPPOSED MOTION FOR IMMEDIATE DISQUALIFICATION & NOTICE OF ADDITIONAL CODE VIOLATIONS, filed on April 30, 2024 (collectively "MOTIONS TO DISQUALIFY"). The MOTIONS TO DISQUALIFY express Plaintiff's opinion that, *inter alia*, the undersigned's management of this case, delay in ruling on Plaintiff's MOTIONS TO DISQUALIFY, and denial of various motions would lead a reasonable observer to question the undersigned's impartiality.

The Court disagrees that these rulings were made in error or that the Court's management of this case gives rise to the appearance of bias against Plaintiff.<sup>1</sup> The District of Columbia Court of Appeals previously held that to require a Judge's recusal due to personal bias or prejudice, "the bias or prejudice must be personal in nature and have its source 'beyond the four corners of the courtroom.'" *Anderson v. United States*, 754 A.2d 920, 925 (D.C. 2000) (citing *Gregory v. United States*, 393 A.2d 132, 142 (D.C. 1978)). The Court finds that Plaintiff's six "claims" of bias, which are enumerated in the January 11, 2024, MOTION, all concern Plaintiff's disagreements with this Court's *prior judicial rulings*. Consequently, the Court denies Plaintiff's MOTIONS TO DISQUALIFY.

Therefore, it is on June 26, 2024, hereby:

**ORDERED** that Plaintiff's MOTIONS TO DISQUALIFY are **DENIED**.



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**Judge D. W. Tunnage**  
**(Signed in Chambers)**

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<sup>1</sup> The Court spent significant time addressing the substantial number of motions Plaintiff filed in this matter. Since the case was transferred in 2023, the Court held 12 separate status hearings and settlement conferences totaling nearly 17 hours.

**Copies via Odyssey to:**

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bcannon@offitkurman.com  
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*Counsel for Defendant*

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*Plaintiff*