

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 25-7042

September Term, 2025

1:24-cv-02422-RBW

Filed On: December 4, 2025

In re: Danielle Eleise Pennington,

Danielle Eleise Pennington,

Appellant

v.

First Hand Land, LLC,

Appellee

BEFORE: Henderson, Wilkins, and Pan, Circuit Judges

ORDER

Upon consideration of the motion to appoint counsel, the motion for reconsideration of the court's order filed on August 13, 2025, the motion to dismiss, and the motion to strike the motion to dismiss, it is

ORDERED that the motion to appoint counsel be denied. In civil cases, appellants are not entitled to appointment of counsel when they have not demonstrated sufficient likelihood of success on the merits. It is

FURTHER ORDERED that the motion for reconsideration be denied. Appellant has not shown that reconsideration is warranted. It is

FURTHER ORDERED that the motion to strike be denied. Motions to strike are generally disfavored, and appellant has shown no basis for striking the motion to dismiss. See Stabilisierungsfonds Fur Wein v. Kaiser Stuhl Wine Distribs. Pty. Ltd., 647 F.2d 200, 201 (D.C. Cir. 1981) (per curiam). It is

FURTHER ORDERED that the motion to dismiss be granted and this appeal be dismissed as moot. Appellant challenges the district court's dismissal of her appeal of

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a bankruptcy court order granting appellee relief from an automatic stay under 11 U.S.C. § 362, which allowed appellee's eviction proceedings against appellant to proceed. However, the automatic stay was terminated by operation of law upon dismissal of appellant's bankruptcy case, *id.* § 362(c)(2), and appellant has since been evicted. In light of these developments, appellant has not shown that an order in her favor could restore the automatic stay or appellant's possession of the property at issue. Because appellant fails to demonstrate that it is possible "for a court to grant [her] any effectual relief," the appeal is moot. Decker v. Nw. Env't Def. Ctr., 568 U.S. 597, 609 (2013) (internal quotation marks and citation omitted); see also Matter of Owens, No. 20-7066, 2022 WL 790418, at *1 (D.C. Cir. Mar. 11, 2022).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

IN RE: DANIELLE ELEISE
PENNINGTON,

Debtor.

Civil Action No. 24-2422 (RBW)

DANNIELLE ELEISE PENNINGTON,

Appellant,

v.

FIRST HAND LAND, LLC,

Appellee.

ORDER

In accordance with the oral rulings issued by the Court at the motion hearing held on March 19, 2025, it is hereby

ORDERED that the appellant's Notice of Motion and Motion to Stay Bankruptcy Proceedings and Request for Judicial Review, ECF No. 4, is **DENIED AS MOOT**. It is further

ORDERED that the Appellant's Objection and Motion to Strike Appellee's Purported Evidence, ECF No. 9, is **DENIED**. It is further

ORDERED that the appellant's Emergency Motion for Stay Pending Appeal, ECF No. 5, is **DENIED**. Specifically, the appellant's motion is **DENIED** due to the fact that the only argument raised by the appellant in opposition to the Bankruptcy Court Judge's Order is whether the appellee is the valid deedholder of the property at which she resides—a question which the Superior Court of the District of Columbia appears to have already addressed and, in any event,

is not a matter subject to this Court's jurisdiction. See In re Owens, No. 20-7066, 2022 WL 790418, at *1 (D.C. Cir. Mar. 11, 2022) (“[The appellant’s] claim would require [the Court] to second guess the decision of the DC Superior Court that she had no interest in the disputed property, but [the Court] ha[s] no jurisdiction to do that[.]”); Jackson v. Off. Of the Mayor of D.C., 911 F.3d 1167, 1170 (D.C. Cir. 2018) (barring “cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments”); Moore v. Wells Fargo Bank, N.A., 908 F.3d 1050, 1062 (7th Cir. 2018) (rejecting the plaintiff’s claims for damages because the court “would be required to contradict directly the state court’s decisions by finding [another party] was not entitled to the final judgment of foreclosure”); In re Knapper, 407 F.3d 573, 581–82 (3d Cir. 2005) (holding that a bankruptcy proceeding used to attack a final default judgment foreclosure “would reduce the state court judgments to nullities”).

It is further

ORDERED that this appellant’s appeal is **DISMISSED**. See Ritzen Grp., Inc. v. Jackson Masonry, LLC, 589 U.S. 35, 37 (2020) (“Orders in bankruptcy cases qualify as ‘final’ when they definitively dispose of discrete disputes within the overarching bankruptcy case.”). It

is further

ORDERED that this case is **CLOSED**. It is further

ORDERED that the Clerk of the Court shall forthwith mail a copy of this Order to the appellant’s address of record.

SO ORDERED this 20th day of March, 2025.

REGGIE B. WALTON
United States District Judge

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 25-7042

September Term, 2025

1:24-cv-02422-RBW

Filed On: February 9, 2026

In re: Danielle Eleise Pennington,

Danielle Eleise Pennington,

Appellant

v.

First Hand Land, LLC,

Appellee

BEFORE: Henderson, Wilkins, and Pan, Circuit Judges

ORDER

Upon consideration of the petition for rehearing, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:

Clifton B. Cislak, Clerk

BY: /s/

Daniel J. Reidy

Deputy Clerk

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)	
FIRST HAND LAND LLC,)	
)	
Plaintiff,)	
)	Civil Action No. 24-2597 (RBW)
v.)	
)	
DANIELLE PENNINGTON,)	
)	
Defendant.)	
_____)	

ORDER

In accordance with the oral rulings issued by the Court at the motion hearing held on February 27, 2025, it is hereby

ORDERED that the plaintiff's Motion to Remand and for Pre-Filing Injunction, ECF No. 3, is **GRANTED IN PART AND DENIED WITHOUT PREJUDICE IN PART**.

Specifically, the plaintiff's motion is **GRANTED** to the extent it seeks to remand this case to the Superior Court for the District of Columbia. The plaintiff's motion is **DENIED WITHOUT PREJUDICE** to the extent it seeks a pre-filing injunction against the defendant. It is further

ORDERED that this case be **REMANDED** to the Superior Court for the District of Columbia. It is further

ORDERED that the defendant's Emergency Motion for Continuance of Hearing Set for February 27, 2025, ECF No. 11, is **DENIED AS MOOT**. It is further

ORDERED that this case is **CLOSED**. It is further

ORDERED that the Clerk of the Court shall forthwith mail a copy of this Order to the defendant's address of record.

SO ORDERED this 27th day of February, 2025.

REGGIE B. WALTON
United States District Judge

**Additional material
from this filing is
available in the
Clerk's Office.**