

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7129

September Term, 2018

1:18-cv-01451-UNA

Filed On: December 4, 2018

Ricardo Jose Calderon Lopez, doing
business as Starlight Consulting Services,

Appellant

v.

Gail Johnson, et al.,

Appellees

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Tatel and Griffith, Circuit Judges, and Sentelle, Senior Circuit
Judge

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). Upon consideration of the foregoing and the motion to supplement the appendix, it is

ORDERED that the motion to supplement the appendix be denied. The materials were not part of the district court record and therefore are not properly part of the appendix. See Fed. R. App. P. 30(a)(1). It is

FURTHER ORDERED AND ADJUDGED that the district court's order filed July 17, 2018, be affirmed. Appellant has not identified any error in the district court's decision to dismiss the complaint without prejudice. In particular, appellant has not shown that his complaint provided "a short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a); Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009). Moreover, appellant's brief does not identify any acts taken by appellees Johnson and Swann that were alleged in the complaint. Appellees Nesbitt and Adkins, as employees of the Supreme Court Clerk, enjoy absolute immunity from

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lawsuits for money damages based upon actions taken as part of the judicial process. See Sindram v. Suda, 986 F.2d 1459, 1460-61 (D.C. Cir. 1993) (per curiam). The district court did not err by dismissing the complaint sua sponte, see 28 U.S.C. § 1915(e)(2)(B)(ii) (court shall dismiss a case filed in forma pauperis at any time if the court determines that it fails to state a claim), or by denying as moot appellant's motion for a CM/ECF username and password.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Ken Meadows
Deputy Clerk