

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-5351

September Term, 2019

1:19-cv-03102-UNA

Filed On: April 9, 2020

Patrick O. Christian,  
Appellant

v.

Donald J. Trump, U.S. President and Mark R.  
Warner, United States Senator,  
Appellees

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

**BEFORE:** Rogers and Tatel, 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 the appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

**ORDERED AND ADJUDGED** that the district court's order filed November 12, 2019 be affirmed. The district court properly dismissed the case with prejudice as frivolous because appellant's complaint lacked an arguable basis either in law or in fact. See *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); see also *Firestone v. Firestone*, 76 F.3d 1205, 1209 (D.C. Cir. 1996) (Dismissal with prejudice is warranted when a district court "determines that the allegation of other facts consistent with the challenged pleading could not possibly cure the deficiency.") (internal quotation marks omitted).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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/  
Daniel J. Reidy  
Deputy Clerk