NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted August 28, 2024*
Decided August 29, 2024

Before

MICHAEL Y. SCUDDER, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

No. 23-2706

THEODORE ALLISON EL,
Plaintiff-Appellant,

v.

UNITED STATES OF AMERICA, et al.,
Defendants-Appellees.

Appeal from the United States District Court for the Northern District of Illinois, Eastern Division.

No. 23-cv-04117

Sharon Johnson Coleman,
Judge.

O R D E R

When his application for a passport was denied because of unpaid federal income taxes, Theodore Allison El ("Allison"), who describes himself as a "non-resident alien" of "Moorish American Nationality," sued the United States and officials of several federal agencies, seeking damages. He alleged that the defendants violated several of his constitutional rights in denying him a passport and demanding tax

* We have agreed to decide the case without oral argument because the appeal is frivolous. FED. R. APP. P. 34(a)(2)(A).

payments that he believes are unlawful. Of its own accord, the district court dismissed the complaint as frivolous, citing 28 U.S.C. § 1915(e) despite Allison having prepaid the full filing fee. Allison appeals, challenging the court's authority to dismiss his case, rehashing his theory that he cannot lawfully be taxed, and insisting that he stated a valid claim of a denial of his right to travel. We affirm.

The district court had "ample authority" to curb Allison's frivolous litigation via dismissal. *See Hoskins v. Poelstra*, 320 F.3d 761, 763 (7th Cir. 2003). And there is no question that this suit is frivolous. Suing the United States for constitutional violations is a non-starter, *see FDIC v. Meyer*, 510 U.S. 471, 475–78 (1994), and Allison makes no effort to explain why his claims against the officials might be cognizable under *Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). Further, much of Allison's complaint is based on a theory that his purported citizenship status precludes the federal government from taxing him—a theory we have repeatedly deemed frivolous and sanctionable, *see e.g.*, *Bey v. Indiana*, 847 F.3d 559, 559–60 (7th Cir. 2017); *see also Veal-Hill v. Comm'r*, 976 F.3d 775 (7th Cir. 2020) (adjusting presumptive sanction for frivolous tax appeals to $5,000).

Also frivolous are Allison's claims that are premised on a constitutional right to travel internationally. Even if he could bring these claims under *Bivens*, they would fail on the merits. The federal government needs only a rational basis to restrict international travel, *see Clancy v. Off. of Foreign Assets Control*, 559 F.3d 595, 604 (7th Cir. 2009), and a restriction based on unpaid taxes is justified, *cf. United States v. Indianapolis Baptist Temple*, 224 F.3d 627, 630 (7th Cir. 2000). Allison does not mention his other claims on appeal, and so he has waived any argument that their dismissal was erroneous. *See Bradley v. Village of University Park*, 59 F.4th 887, 897 (7th Cir. 2023).

Allison has 14 days to show cause why he should not be sanctioned for prosecuting this frivolous appeal. *See* FED. R. APP. P. 38.

AFFIRMED