

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-5100

September Term, 2017

1:16-cv-01763-UNA

Filed On: April 5, 2018

Lamar C. Chapman, III, In His Oathful and
Duty Bound Public Interest Capacity, aa
Perpetual, "Inferior Officer" of the United
States of America as Established by Article II,
Section 2 of the United States Constitution,

Appellant

v.

Barack Hussein Obama, In His Personal and
Individual Capacity As Ineligible Commander
In Chief of the Executive Branch of
Government; Void Forty Fourth President of
the United States of America, also known as
Barry Surroro, also known as Barack
Dunham, also known as Barry Dunham, also
known as Barry Obama, also known as Barry
Sierra,

Appellee

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

BEFORE: Henderson and Tatel, Circuit Judges, and Ginsburg, 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 vacate this court's May 10, 2017 order to pay the filing fee or to file a motion for leave to proceed in forma pauperis, and the motions for judicial notice, it is

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ORDERED that the motion to vacate be denied. It is

FURTHER ORDERED that the motions for judicial notice be denied. Appellant has not shown the materials of which judicial notice is sought are necessary to the disposition of this appeal. It is

FURTHER ORDERED AND ADJUDGED that the district court's September 1, 2016 order dismissing appellant's complaint be affirmed. The district court correctly concluded that appellant lacked standing to challenge President Barack Obama's qualifications for holding office. See Lujan v. Defenders of Wildlife, 504 U.S. 555, 560-61 (1992) (party invoking jurisdiction of the court must demonstrate a "concrete and particularized" injury in fact); Berg v. Obama, 586 F.3d 234, 239 (3d Cir. 2009) ("[A] candidate's ineligibility under the Natural Born Citizen Clause does not result in an injury in fact to voters."). Insofar as appellant claims that his criminal conviction and present state of incarceration are individualized harms resulting from the Obama presidency, his exclusive means for seeking relief is a petition under 28 U.S.C. § 2255 filed in the district where appellant is in custody. See Rumsfeld v. Padilla, 542 U.S. 426, 443 (2004).

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