

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-5180**September Term, 2019****1:19-mc-00057-UNA****Filed On:** January 14, 2020

Matthew Jones,

Appellant

v.

United States of America,

Appellee

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

BEFORE: Katsas and Rao, 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). It is

ORDERED AND ADJUDGED that the district court's orders filed May 29, 2019, and September 19, 2019, be affirmed. The district court did not abuse its discretion in denying appellant's petitions to take pre-litigation depositions. See Fed. R. Civ. P. 27(a); Penn Mut. Life Ins. Co. v. United States, 68 F.3d 1371, 1374 (D.C. Cir. 1995). The district court properly concluded that appellant's petitions failed to satisfy the requirements of Federal Rule of Civil Procedure 27 because they were not verified, nor did they demonstrate that appellant seeks to perpetuate testimony concerning a "matter cognizable in a United States court." Fed. R. Civ. P. 27(a)(1). Finally, appellant has not shown that the district court abused its discretion in denying his motions for reconsideration and to reopen the case. See, e.g., Firestone v. Firestone, 76 F.3d 1205, 1208 (D.C. Cir. 1996) (per curiam); Thomas v. Holder, 750 F.3d 899, 902-03 (D.C. Cir. 2014).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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