

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-7069**September Term, 2022****1:16-cv-00947-EGS****Filed On: May 31, 2023**

Randy Brown,

Appellant

v.

District of Columbia,

Appellee

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

BEFORE: Millett, Pillard, and Rao, Circuit Judges

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 briefs filed by the parties. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's March 30, 2022 order be affirmed. Appellant has not shown that the district court abused its discretion in denying his motion to reopen the time to appeal when the criteria for doing so under Federal Rule of Appellate Procedure 4(a)(6) were not met, and the district court therefore lacked authority to grant his motion. See 28 U.S.C. § 2107(c); Ladeairous v. Garland, 45 F.4th 188, 191 (D.C. Cir. 2022) (statutorily prescribed components of Rule 4(a)(6) are jurisdictional); In re: Sealed Case (Bowles), 624 F.3d 482, 483-84 (D.C. Cir. 2010) (180-day deadline for reopening the time to file an appeal is not subject to equitable exceptions). Appellant has not raised any argument regarding the district court's denial of relief under Federal Rule of Civil Procedure 60(b) and thus has forfeited any such challenge. See United States ex rel. Totten v. Bombardier Corp., 380 F.3d 488, 497 (D.C. Cir. 2004). We also do not reach any issue related to the district court's underlying summary judgment ruling because the appeal is not timely as to that order. See Fed. R. App. P. 4(a)(1)(A).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

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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