

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 23-5056**

**September Term, 2022**

**1:23-cv-00492-UNA**

**Filed On: June 9, 2023**

Nickholas Knight, Sr.,

Appellant

v.

Joe Biden Admin, et al.,

Appellee

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

**BEFORE:** Millett and Pillard, 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 the amended 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 appoint counsel, the motion to stay pending appeal and the supplement thereto, and the motion for judgment, it is

**ORDERED** that the motion to appoint counsel be denied. In civil cases, appellants are not entitled to appointment of counsel when they have not demonstrated any likelihood of success on the merits. It is

**FURTHER ORDERED** that the motion for judgment be denied. It is

**FURTHER ORDERED AND ADJUDGED** that the district court's March 6, 2023, order be affirmed. The district court properly dismissed appellant's case without prejudice for failure to comply with Federal Rule of Civil Procedure 8(a). Appellant's complaint did not set forth "a short and plain statement of the claim showing that the pleader is entitled to relief," which is required in order to "give the defendant fair notice of what the claim is and the grounds upon which it rests." Jones v. Kirchner, 835 F.3d 74,

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79 (D.C. Cir. 2016) (citing Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)). It is

**FURTHER ORDERED** that the motion to stay pending appeal be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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