

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 99-5359

September Term, 1999

98cv02434

Filed On: August 3, 2000 [533893]

Pierre Clifton Marshall,  
Appellant

v.

Janet Reno, Attorney General, et al.,  
Appellees

**BEFORE:** Randolph, Rogers, and Garland, Circuit Judges

## APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

### 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. The court has determined that the issues presented occasion no need for a published opinion. See Fed. R. App. P. 36; D.C. Cir. Rule 36(b). It is

**ORDERED AND ADJUDGED** that the district court's order filed October 6, 1999 be affirmed. As the district court determined, mandamus is unavailable because appellant has other means to secure the relief he seeks. See Council of and for the Blind v. Regan, 709 F.2d 1521, 1533 (D.C. Cir. 1983) (en banc). In addition, the district court did not abuse its discretion in declining to compel discovery. See SafeCard Servs., Inc. v. SEC, 926 F.2d 1197, 1200 (D.C. Cir. 1991). Finally, insofar as appellant contends the district court erred in denying him leave to amend his complaint, the district court record contains no motion for leave to amend filed by appellant.

The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition 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