

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 27 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FESTUS OKWUDILI OHAN,

Plaintiff-Appellant,

v.

NORTH ATLANTIC TREATY
ORGANIZATION; et al.,

Defendants-Appellees.

No. 23-35473

D.C. No. 3:22-cv-00226-RRB
District of Alaska,
Anchorage

ORDER

Before: TALLMAN, N.R. SMITH, and COLLINS, Circuit Judges.

A review of the record reflects that the notice of appeal was received by the Court of Appeals for the District of Columbia Circuit on May 30, 2023, resubmitted to this court on July 13, 2023, and transmitted to the district court for filing. This court lacks jurisdiction over this appeal because the notice of appeal was not filed within 60 days after the district court's judgment entered on March 15, 2023. *See* 28 U.S.C. § 2107(b); Fed. R. App. P. 4(d) (notice of appeal mistakenly submitted to the court of appeals considered filed in the district court on the date received by court of appeals); *United States v. Sadler*, 480 F.3d 932, 937 (9th Cir. 2007) (requirement of timely notice of appeal is jurisdictional). Consequently, this appeal is dismissed for lack of jurisdiction.

All pending motions are denied as moot.

DISMISSED.

Remember, Supreme Court Conclusions of Fall 1981
— "IF SO, THE HUMAN RACE WILL NOT EXIST" — AT THE END
OF ALL HEARINGS AND SECONDARY TO MY COURT REPORT AND
FILLINGS OF FALL 1979 AND ~~FALL~~^{SUMMER} 1981. YOU SAID GIVE US
LIBERTY OR GIVE US DEATH - YOU CHOOSE DEATH AND WARS.
THESE REPORTS ARE UPDATES AND YOU HAVE DECIDED! YOU STILL
HAVE 6 MONTHS TO VANQUISH THE WORLD W/O LEAVING DANGERS BEHIND.

LIBERTY TO
DO WHAT?
DEFINITELY
NOT WHAT YOU
ARE DOING!

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

FESTUS O. OHAN,

Plaintiff,

v.

ARMANDO FONTURA, PAULA
DOW, CHARLES RETTIG,

Case No. 3:22-cv-00207-RRB

ABN AMRO, LEE BACA, JACKIE
LACEY,

Case No. 3:22-cv-00212-RRB

U.S. DEPARTMENT OF JUSTICE,
U.S. DEPARTMENT OF HEALTH,
U.S. DEPARTMENT OF TREASURY,
U.S. DEPARTMENT OF STATE, U.S.
CONGRESS,

Case No. 3:22-cv-00221-RRB

NORTH ATLANTIC TREATY
ORGANIZATION, STATES OF THE
UNITED STATES, UNITED
NATIONS, THE EUROPEAN UNION,
and THE UNITED KINGDOM,

Case No. 3:22-cv-00226-RRB

Defendants.

ORDER OF DISMISSAL

Before the Court are the four above-captioned civil actions brought by self-represented litigant Festus O. Ohan ("Plaintiff"). Plaintiff filed applications to

proceed without paying the filing fee in each case.¹ Plaintiff subsequently has filed numerous "Additional Related Documents" and "Notices" in each case. The Court shall not consider additional arguments contained in the additional documents filed with the Court, as that is not proper procedure to amend a complaint.²

Upon the Court's review, the Court finds these cases to be interrelated and appropriate to address within the same order. Plaintiffs' filings are fundamentally similar, repeat or reference allegations against defendants named in other actions, and contain copies of duplicative documents. He has included some or all of the above-captioned case numbers on his coversheets and requested the Clerk file the documents in each case.³ Accordingly, these actions will be evaluated and addressed collectively. The Court now screens Plaintiff's complaints in accordance with 28 U.S.C. §§ 1915(e) and 1915A.

Because they were collaborating!

¹ *Ohan v. Fontoura et al.*, Case No. 3:22-cv-00207-RRB, Docket 3; *Ohan v. ABN AMRO et al.*, Case No. 3:22-cv-00212-RRB, Docket 3; *Ohan v. U.S. Department of Justice et al.*, Case No. 3:22-cv-00221-RRB, Docket 3; *Ohan v. North Atlantic Treaty Organization et al.*, Case No. 3:22-cv-00226-RRB, Docket 3.

² See Fed. R. Civ. P. 15(a); see also Local Civil Rule 15.1.

³ See, e.g., Case 3:22-cv-00212-RRB, Docket 1, 5; Case 3:22-cv-00221-RRB, Dockets 4-8.

Case No. 3:22-cv-00207-RRB, *Ohan v. Fontoura et al.*
Case No. 3:22-cv-00212-RRB, *Ohan v. ABN AMRO et al.*
Case No. 3:22-cv-00221-RRB, *Ohan v. U.S. Department of Justice et al.*
Case No. 3:22-cv-00226-RRB, *Ohan v. North Atlantic Treaty Organization et al.*
Order of Dismissal

I. Procedural History

As an initial matter, the Court takes judicial notice of Plaintiff's previous civil cases in federal court.⁴ *Ohan v. Essex County Sheriff's Office*⁵ was dismissed for seeking relief from defendants who are immune from suit. In *Ohan v. United States*,⁶ the Court found the Complaint failed to state a viable claim and noted Plaintiff's filings were "often illegible or unintelligible or unrelated to th[e] case."⁷ The Court also could not establish jurisdiction.⁸ Nonetheless, the Court granted leave to file an Amended Complaint or Notice of Voluntary Dismissal.⁹ Plaintiff subsequently filed multiple documents, but the Court ultimately dismissed the action as none of the filings could "be construed to be either an amended complaint or a notice of voluntary dismissal[.]" and the Plaintiff failed to "make an

⁴ Judicial notice is the "court's acceptance, for purposes of convenience and without requiring a party's proof, of a well-known and indisputable fact; the court's power to accept such a fact." BLACK'S LAW DICTIONARY (11th ed. 2019). A court can take judicial notice of its own files and records. Fed. R. Evid. 201.

⁵ *Ohan v. Essex County Sheriff's Office*, 2010 WL 11693192 (D. N.J. 2010).

⁶ *Ohan v. United States*, 2022 WL 1307248 (D. Alaska 2022).

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

Case No. 3:22-cv-00207-RRB, *Ohan v. Fontoura et al.*

Case No. 3:22-cv-00212-RRB, *Ohan v. ABN AMRO et al.*

Case No. 3:22-cv-00221-RRB, *Ohan v. U.S. Department of Justice et al.*

Case No. 3:22-cv-00226-RRB, *Ohan v. North Atlantic Treaty Organization et al.*

Order of Dismissal

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