

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7071**September Term, 2018****1:14-cv-01289-RMC****1:15-cv-00098-RMC****Filed On:** September 11, 2018

Erick Little, et al.,
Appellees

Galen Pendergrass,
Appellant

v.

Washington Metropolitan Area Transit
Authority, et al.,
Appellees

BEFORE: Griffith, Wilkins, and Katsas, Circuit Judges

ORDER

Upon consideration of the motion to appoint counsel, and the opposition thereto; and the motions to dismiss or for summary affirmance, the opposition thereto, and the replies, 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 sufficient likelihood of success on the merits. It is

FURTHER ORDERED that the motions to dismiss be granted. Because the settlement agreement approved by the district court preserved appellant's claims, appellant lacks standing to appeal the district court's order approving the settlement agreement. See Mayfield v. Barr, 985 F.2d 1090, 1093 (D.C. Cir. 1993) ("[T]hose who fully preserve their legal rights cannot challenge an order approving an agreement resolving the legal rights of others."); In re Vitamins Antitrust Class Actions, 215 F.3d 26, 28-29 (D.C. Cir. 2000).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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