

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15-5152

September Term, 2015

1:00-cv-02445-RBW

1:00-cv-02502-RBW

Filed On: October 30, 2015

Guadalupe L. Garcia, For himself and on behalf of G.A. Garcia and Sons Farm, et al.,

Appellees

v.

Thomas J. Vilsack, Secretary, The United States Department of Agriculture,

Appellee

Black Farmers and Agriculturalists Association, Inc.,

Appellant

Consolidated with 15-5156

BEFORE: Brown, Srinivasan, and Wilkins, Circuit Judges

ORDER

Upon consideration of the motion to dismiss, the opposition thereto, and the reply, it is

ORDERED that the motion to dismiss be granted. Because this court previously affirmed the district court's orders denying appellant's motions to intervene, Garcia v. Vilsack, No. 14-5175, Love v. Vilsack, No. 14-5185 (D.C. Cir. Nov. 18, 2014) (Rogers, Kavanaugh, Pillard, JJ.), cert. denied, No. 14-1435 (U.S. Oct. 5, 2015), appellant lacks standing to appeal. See United States v. British Am. Tobacco Australia Servs., 437 F.3d 1235, 1240 (D.C. Cir. 2006) ("We have stated many times that failed intervenors may not appeal District Court actions to which they are not a party."); United States v. LTV Corp., 746 F.2d 51 (D.C. Cir. 1984).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

A true copy
United States Court of Appeals
for the District of Columbia Circuit
By [Signature] Deputy Clerk

MANDATE	
<small>Pursuant to the provisions of Fed. R. App. Pro. 41(a)</small>	
ISSUED:	12/22/2015
BY:	<u>[Signature]</u> Deputy Clerk
ATTACHED:	<input type="checkbox"/> Amending Order <input type="checkbox"/> Opinion <input type="checkbox"/> Order on Costs