

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-1205

NIKHIL DESAI,

Plaintiff - Appellant,

versus

DISTRICT OF COLUMBIA; SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA; PAUL E. WEBBER; CURTIS
VON KANN; SCHANTA JONES, United States Deputy
Marshal; TODD DILLARD, United States Marshal
Service,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Alexandria. T.S. Ellis, III, District Judge.
(CA-97-1686-A)

Submitted: December 15, 1998

Decided: January 11, 1999

Before WIDENER, MURNAGHAN, and ERVIN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Nikhil Desai, Appellant Pro Se. Richard Parker, OFFICE OF THE
UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Nikhil Desai appeals the district court's order dismissing his complaint brought under 42 U.S.C.A. § 1983 (West Supp. 1998) and 42 U.S.C. § 1985 (1994) and denying Desai's motion to amend the complaint to allow suit against two U.S. Marshals in their individual capacities. We have reviewed the record and the district court's opinion and find no reversible error. The district court properly found that an amendment to the complaint would be futile because the statute of limitations, under both Virginia and District of Columbia law, would bar Desai's claims against U.S. Marshals Jones and Dillard. The court also properly found that District of Columbia Judges Webber and von Kann are absolutely immune from suit for damages arising out of their judicial actions. To the extent that Desai seeks injunctive and declaratory relief, the district court properly dismissed Desai's claim because lower federal courts lack jurisdiction to review District of Columbia court proceedings. See 28 U.S.C. § 1257 (1994); District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 482 (1983). Accordingly, we affirm. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED