

Unpublished Disposition
107 F.3d 923

NOTICE: THIS IS AN UNPUBLISHED OPINION.

(The Court's decision is referenced in a "Table of Decisions Without Reported Opinions" appearing in the Federal Reporter. Use FI CTADC Rule 28 and FI CTADC Rule 36 for rules regarding the publication and citation of unpublished opinions.)

United States Court of Appeals, District of Columbia Circuit.

LaSHAWN A., et al., Appellees

v.

Marion S. BARRY, Jr., et al., Appellants

No. 94-7044. | Oct. 30, 1996. | Rehearing Denied Dec. 12, 1996.

Appeal from the United States District Court for the District of Columbia (No. 89cv01754).

DDC, [887 F.Supp. 297](#) [On remand from [87 F.3d 1389](#)].

AFFIRMED.

Before [WILLIAMS](#), [HENDERSON](#), and [RANDOLPH](#), Circuit Judges.

Opinion

JUDGMENT

PER CURIAM.

*1 This appeal was considered on the record before the United States District Court for the District of Columbia, and on the briefs of counsel and oral argument before this court. The issues have been accorded full consideration by this court and occasion no need for a published opinion. See [D.C.Cir.Rule 36\(h\)](#). It is

ORDERED AND ADJUDGED by this court that the judgment of the district court be affirmed. The District's primary point is that the judgment under review imposes requirements beyond those of District law. Cf. [LaShawn v. Kelly](#), [990 F.2d 1319, 1326 \(D.C.Cir.1993\)](#) (directing district court "to fashion an equally comprehensive order based entirely on District of Columbia law, if possible."). That point is not disputed. The judgment is based, however, in part on the District's earlier consent to substantially the same decree. That consent, to be sure, was conditioned on affirmance of the district court judgment on federal grounds. But it appears now largely undisputed-especially in reference to the aspects of the judgment that extend beyond the precise provisions of District law-that District law is not materially less demanding than federal law. Thus, the judgment under review does not extend beyond District law more than it extends beyond federal law. Accordingly, we infer that the district court reasoned that the substitution of District law alone as the basis of the decree, in place of reliance on federal plus District law, did not materially undermine the District's consent.

The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing. See [D.C.Cir.Rule 41\(a\)](#).

Parallel Citations

1996 WL 679301 (C.A.D.C.), 323 U.S.App.D.C. 290