

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

ZUMAR H. DUBOSE,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2024-1397

Appeal from the United States District Court for the Eastern District of Pennsylvania in No. 2:23-cv-04374-NIQA, Judge Nitza I. Quiones Alejandro.

ON MOTION

Before CHEN, LINN, and HUGHES, *Circuit Judges*.

PER CURIAM.

O R D E R

In response to this court's March 15, 2024 show cause order, the United States urges dismissal while Zumar H. DuBose moves for transfer to the United States Court of Appeals for the Third Circuit.

Mr. DuBose brought suit against the United States in the United States District Court for the Eastern District of Pennsylvania, seeking \$100,000,000 “pursuant to the Federal Tort Claims Act 28 U.S.C. § 1346(b).” Compl. at 1. The district court dismissed, and Mr. DuBose appealed to this court.

We do not have jurisdiction over Mr. DuBose’s “appeal in a case brought in a district court under . . . [28 U.S.C. §] 1346(b),” which instead belongs in the appropriate regional circuit court of appeals. 28 U.S.C. § 1295(a)(2). Under the circumstances, we conclude that transfer to the Third Circuit is appropriate under 28 U.S.C. § 1631. *See* 28 U.S.C. §§ 41, 1291, 1294.

Accordingly,

IT IS ORDERED THAT:

The motion to transfer is granted. The appeal and all its filings are transferred to the United States Court of Appeals for the Third Circuit pursuant to 28 U.S.C. § 1631.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

May 3, 2024
Date