

NOTE: This order is nonprecedential.

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

SISTER E. JONES-BEY,
Plaintiff-Appellant

v.

PAMELA K. CHEN, MERRICK B. GARLAND, Attorney General, LETITIA JAMES, LOUIS L. STANTON, UNITED STATES, STATE OF NEW YORK, ADMINISTRATION FOR CHILDREN'S SERVICES, NEW YORK CITY POLICE DEPARTMENT, DEPARTMENT OF FINANCE, JOSEPHINE ANTOINE, GRISEL CABAN, (NFN) ANWANA, (NFN) EMMANUEL, DANA LACASSE, BRENDA RAMIREZ, BARBARA DANIELY, JAQUELINE D. WILLIAMS, ELIZABETH BARNETT, VANESSA WILLIAMS, RONNA GORDON-GLACHUS, ANDREA AMOA, PAUL M. HENSLEY, JOE MORGANO, DEANNA FLAHERTY, KELLI MUSE, ANDREW LEE, TIMOTHY MARSH, ABENA DARKEH, ALICIA FRISH, MICHAEL MANCILLA, MICHELLE GIGLIO, (NFN) TODDMAN, (NFN) GELLINEAU, (NFN) QUINTERO, (NFN) EPTISTEIN, SANDRINA OSBORN, (NFN) FITZGERALD, (NFN) SANTOS, (NFN) FERACEA, (NFN) RUSSELL, (NFN) ROKE, (NFN) BECKETT, (NFN) HILDALGO, (NFN) ALMONTE, (NFN) SOLOMON, (NFN) CANALES, (NFN) SHEA, JOSEPH SCHWARCZ, dba All Year Management, NATHAN SCHWARZ, dba All Year Management, ENRIQUE 'RENE' RIVERA, YOEL GOLDMAN, dba All Year Management, VICKNELL

**POWELL, JANE POWELL, WILLIAM PIERCE,
SHANTA PIERCE,**
Defendants-Appellees

2022-2019

Appeal from the United States District Court for the Southern District of New York in No. 1:21-cv-06142-LTS, Judge Laura Taylor Swain.

PER CURIAM.

O R D E R

In response to this court's August 29, 2022, show cause order, the United States urges dismissal of this appeal rather than transfer. Sister E. Jones-Bey moves for leave to proceed *in forma pauperis* and responds in favor of this court's jurisdiction and consolidation with Appeal No. 2022-1965*, or, failing that, requests transfer to the Supreme Court of the United States.

Ms. Jones-Bey's complaint alleged various claims against 57 defendants, including civil rights violations, violation of her constitutional rights, and conspiracy. She sought injunctive relief and over \$250 million in damages. On September 17, 2021, the United States District Court for the Southern District of New York dismissed the complaint but allowed Ms. Jones-Bey the opportunity to replead certain claims. Ms. Jones-Bey appealed to the United States Court of Appeals for the Second Circuit,

* Appeal No. 2022-1965 was transferred on October 18, 2022, to the United States Court of Appeals for the Second Circuit.

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which dismissed. Following the Second Circuit's mandate, the district court entered final judgment dismissing the case after Ms. Jones-Bey failed to timely file an amended complaint. This appeal followed.

Although this court possesses jurisdiction to review certain decisions of federal district courts, that jurisdiction is limited in a way that applies here: this court has jurisdiction only over cases arising under the patent laws, *see* 28 U.S.C. § 1295(a)(1); civil actions on review to the district court from the United States Patent and Trademark Office, *see* § 1295(a)(4)(C); or certain damages claims against the United States "not exceeding \$10,000 in amount," 28 U.S.C. § 1346(a)(2), *see* 28 U.S.C. § 1295(a)(2). Ms. Jones-Bey's case falls outside of that limited jurisdiction.

Although the government urges dismissal, we deem it the better course to transfer for the appropriate court to consider the issues raised in this appeal. That court would be the Second Circuit, not the Supreme Court. *See* 28 U.S.C. § 1251 *et seq.*

Accordingly,

IT IS ORDERED THAT:

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

FOR THE COURT

November 15, 2022

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner
Clerk of Court