

NOTE: This order is nonprecedential.

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

In re: RAJ K. PATEL,
Petitioner

2023-113

On Petition for Writ of Mandamus to the United States
Court of Federal Claims.

ON PETITION AND MOTION

PER CURIAM.

O R D E R

Raj K. Patel petitions for a writ of mandamus asking the court to direct the United States Court of Federal Claims to docket his complaint submitted to that court on December 1, 2022. ECF No. 2-1 at 1. Mr. Patel also moves to proceed *in forma pauperis*, ECF No. 3, “for leave to serve the President directly,” ECF No. 6-1 at 1, and to expedite, ECF No. 9.

In October 2022, Mr. Patel filed his third complaint at the Court of Federal Claims asserting breach of a contract with the Presidents of the United States “about living under the stress weapon.” Complaint at 52, *Patel v. United States*, No. 22-1446 (Fed. Cl. Oct. 3, 2022), ECF No. 1. On

November 17, 2022, the Court of Federal Claims dismissed Mr. Patel's complaint. The court also issued an anti-filing injunction directing that the clerk of that court "accept no further complaints from [Mr.] Patel without a motion for leave explaining how the complaint raises new matters properly before" that court. *Patel v. United States*, No. 22-1446, slip op. at 1 (Fed. Cl. Dec. 9, 2022), ECF No. 16.

On December 1, 2022, Mr. Patel submitted his fourth complaint at the Court of Federal Claims with a motion for leave to file the complaint as a new matter. On January 5, 2023, the Court of Federal Claims denied Mr. Patel leave and directed the submission be returned to him, explaining that his "justification for his new cause of action . . . is conclusory and lacks enough specificity to enable the [court] to determine whether Mr. Patel's claims potentially fall within the subject matter jurisdiction of" that court. *Patel v. United States*, No. 23-7028, slip op. at 1–2 (Fed. Cl. Jan. 5, 2023), ECF No. 1. Mr. Patel's petition asks us to compel the docketing of that complaint.

Mr. Patel separately appealed from the November 2022 judgment of the Court of Federal Claims but raised no challenge to the court's anti-filing injunction. In a separate order issued today, we have affirmed the Court of Federal Claims' judgment in all respects. *Patel v. United States*, No. 2023-1325 (Fed. Cir. March 7, 2023). Because Mr. Patel presents no coherent argument here regarding how the allegations in his returned complaint are new matters that fall within the Court of Federal Claims' jurisdiction, he has not shown entitlement to having his complaint docketed.

Accordingly,

IT IS ORDERED THAT:

(1) The petition is denied.

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(2) All pending motions are denied as moot.

FOR THE COURT

March 7, 2023
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court