

NOTE: This order is nonprecedential.

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

**THEODORE CABANISS, Guardian ad Litem to Mi-
nor Child T.C.,**
Plaintiff-Appellant

v.

PFIZER INC.,
Defendant-Appellee

2023-1205

Appeal from the United States District Court for the Southern District of California in No. 3:22-cv-01242-WQH-AHG, Judge William Q. Hayes.

Before LOURIE, PROST, and WALLACH, *Circuit Judges*.

PER CURIAM.

O R D E R

In response to this court's show cause order, the appellant requests transfer to the United States Court of Appeals for the Ninth Circuit. While appellee opposes transfer on the ground that the appeal is meritless, we deem it the better course to transfer for the Ninth Circuit to consider any arguments on the merits.

Accordingly,

IT IS ORDERED THAT:

Pursuant to 28 U.S.C. § 1631, this case and all transmittals are transferred to the United States Court of Appeals for the Ninth Circuit.

FOR THE COURT

March 27, 2023

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court