

NOTE: This order is nonprecedential.

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

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**SUSAN SHULTZ,**  
*Petitioner*

v.

**ENVIRONMENTAL PROTECTION AGENCY,**  
*Respondent*

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2023-1285

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Appeal from the Environmental Protection Agency in  
No. AX-22-000-5703.

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**ON MOTION**

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Before DYK, REYNA, and CHEN, *Circuit Judges*.

PER CURIAM.

**O R D E R**

Susan Shultz moves for leave to proceed *in forma pauperis* (ECF Nos. 3 and 8) and for “immediate relief” (ECF Nos. 9 and 10). The Environmental Protection Agency (“EPA”) submits a “stipulated dismissal” (ECF No. 13), but in response to this court’s January 30, 2023, order, Ms. Shultz, without addressing the stipulation, urges us to

retain jurisdiction over her case and submits a “writ of assistance” (ECF No. 17).

Ms. Shultz’s appeal from a letter of the EPA in response to her request for a site assessment does not fall within the limited jurisdiction that Congress granted to this court under 28 U.S.C. § 1295 or otherwise. While 28 U.S.C. § 1631 authorizes this court to transfer a case, we are not convinced that the requirements under that provision have been met here.

Accordingly,

IT IS ORDERED THAT:

- (1) This case is dismissed.
- (2) All pending motions are denied as moot.

FOR THE COURT

March 2, 2023

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner  
Clerk of Court