

NOTE: This order is nonprecedential.

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

In re: AMY R. GURVEY,
Petitioner

2023-134

On Petition for Writ of Mandamus to the United States District Court for the Southern District of New York in No. 1:06-cv-01202-LGS-HBP, Judge Lorna G. Schofield.

ON PETITION

PER CURIAM.

ORDER

Amy R. Gurvey petitions for a writ of mandamus to “disqualif[y]” the magistrate judge and district court judge, vacate the district court’s orders “retroactive to 2012,” and direct that her case be transferred. ECF No. 2-1 at 21–22.

The district court entered final judgment against Ms. Gurvey in 2017. She appealed to the United States Court of Appeals for the Second Circuit, which affirmed in 2018. In 2020 and 2021, the district court denied Ms. Gurvey’s requests to vacate the judgment. We transferred her appeals from those rulings (and her associated petition for a writ of mandamus) to the Second Circuit, which dismissed

them. In 2022, the district court entered an anti-filing injunction against Ms. Gurvey. This petition appears to arise out of Ms. Gurvey's recent attempts to file submissions at the district court seeking disqualification and vacatur of the prior rulings, which have been returned to her unadjudicated.

The All Writs Act provides that the federal courts "may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law." 28 U.S.C. § 1651(a). As that statute makes clear, however, the Act is not itself a grant of jurisdiction. *See Clinton v. Goldsmith*, 526 U.S. 529, 534–35 (1999). As we have repeatedly explained to Ms. Gurvey, we do not have jurisdiction over her case. *See* 28 U.S.C. § 1295. Under the circumstances, we dismiss, having concluded that it would not be in the interest of justice to transfer to the Second Circuit under 28 U.S.C. § 1631.

Accordingly,

IT IS ORDERED THAT:

The petition is dismissed.

FOR THE COURT

August 16, 2023
Date

/s/ Jarrett B. Perlow
Jarrett B. Perlow
Clerk of Court