

NOTE: This order is nonprecedential.

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

**ADDISA JAHRUSALEM FRANCIS, aka Jacqueline
Dennis, aka Henry Francis,**
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2023-2142

Appeal from the United States Court of Federal Claims
in No. 1:23-cv-00719-EHM, Judge Edward H. Meyers.

ON PETITION AND MOTION

PER CURIAM.

O R D E R

Addisa Jahrusalem Francis's submissions before this court seek various relief, including leave to proceed *in forma pauperis*, ECF Nos. 3 and 7, to compel the Clerk of this Court to take certain actions, ECF No. 8, a temporary injunction, ECF No. 10, and a "writ of prohibition," ECF No. 4-1, pg. 6. The United States responds and moves for summary affirmance. ECF No. 11. Ms. Francis replies.

Ms. Francis filed a complaint in the United States Court of Federal Claims against the United States and this court's now-former Clerk of Court, Peter Marksteiner. On May 17, 2023, the Court of Federal Claims issued an order that dismissed all claims relating to Mr. Marksteiner and directed Ms. Francis to either pay the filing fee or complete the appropriate forms to seek leave to proceed *in forma pauperis*. On June 12, 2023, Ms. Francis moved to voluntarily dismiss the remaining claims without prejudice. On June 15, 2023, the Court of Federal Claims granted the motion and then entered judgment dismissing the complaint. Ms. Francis timely appeals.

We agree with the government that summary affirmance is appropriate here, because there is “no substantial question regarding the outcome of the appeal.” *Joshua v. United States*, 17 F.3d 378, 380 (Fed. Cir. 1994). The Court of Federal Claims was clearly correct that its jurisdiction extends only to claims against the United States, and hence the claims against Mr. Marksteiner were beyond its authority. *See United States v. Sherwood*, 312 U.S. 584, 588 (1941). Ms. Francis also makes no cognizable argument why the Court of Federal Claims erred in granting her motion to voluntarily dismiss the remaining claims or in requiring her to pay the fee or submit the appropriate forms for it to assess whether to waive the fee.

As to Ms. Francis's request for a writ of prohibition, she appears to be requesting that the court release her husband from a maximum-security prison and release her from supervised release. *See* ECF No. 4-1, pgs. 8–10. In *In re Francis*, No. 2022-151, this court considered and rejected her petition seeking the same relief, noting that this court had already explained to her in *Francis v. United States*, Appeal No. 2022-1188, why the Court of Federal Claims lacked jurisdiction to grant these requests. For the same reasons, we must reject Ms. Francis's arguments for a writ.

Accordingly,

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IT IS ORDERED THAT:

(1) ECF No. 11 is granted to the extent that the judgment of the United States Court of Federal Claims is summarily affirmed.

(2) The petition and all other pending motions are denied.

(3) Each side shall bear its own costs.

FOR THE COURT

October 20, 2023
Date

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