

NOTE: This order is nonprecedential.

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

In Re KRISS MICHELE PERRAS,
Petitioner

2024-124

On Petition for Writ of Mandamus to the United States
Court of Appeals for Veterans Claims in No. 24-1892.

ON PETITION

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

PER CURIAM.

O R D E R

Kriss Michele Perras seeks a “Writ of Supersedeas Immediate stay of August 18, 2022 DB order,” ECF No. 2 at 1, which we understand as seeking mandamus relief.

On March 23, 2024, Ms. Perras filed an appeal at the United States Court of Appeals for Veterans Claims appearing to seek review of, among other things, an August 2022 Order of Behavioral Restriction issued to Ms. Perras by the Chief of Staff of the VA Southern Nevada Healthcare System. The Secretary of Veterans Affairs has moved to dismiss that appeal for lack of subject matter jurisdiction, which remains pending.

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). “In general, three conditions must be satisfied for a writ to issue: (1) the petitioner must demonstrate a clear and indisputable right to issuance of the writ; (2) the petitioner must have no other adequate method of attaining the desired relief; and (3) the court must be satisfied that the writ is appropriate under the circumstances.” *In re Apple Inc.*, 979 F.3d 1332, 1336 (Fed. Cir. 2020) (citing *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004)).

Ms. Perras has not demonstrated entitlement to mandamus relief. She currently has an appeal pending before the Court of Appeals for Veterans Claims challenging the same order. To the extent that the Court of Appeals for Veterans Claims, and by extension this court, have jurisdiction to review such orders, such proceedings provide an adequate means by which Ms. Perras can obtain relief. And to the extent that such jurisdiction is lacking, Ms. Perras has no clear and indisputable right to relief here. Finally, if Ms. Perras seeks to have this court issue a writ directing the Court of Appeals for Veterans Claims to issue such a final decision, we cannot say that she has shown egregious delay or that issuance of a writ is appropriate.

Accordingly,

IT IS ORDERED THAT:

The petition and all pending motions are denied.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

May 28, 2024
Date