

NOTE: This order is nonprecedential.

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

**RICARDO JOSE CALDERON LOPEZ, dba Starlight
Consulting Services, STARLIGHT
ENTERTAINMENT ENTERPRISES, INC.,
STARLIGHT MUSIC MANAGEMENT, INC.,**
Plaintiffs-Appellants

v.

**OFFICE OF THE SECRETARY OF STATE,
UNKNOWN STATE OF CALIFORNIA
GOVERNMENT PERSONNEL, Servicing the State
Agencies-Franchise Tax Board,**
Defendants-Appellees

2024-1964

Appeal from the United States District Court for the
Northern District of California in No. 5:17-cv-02886-BLF,
Judge Beth Labson Freeman.

PER CURIAM.

O R D E R

In 2017, Ricardo Jose Calderon Lopez brought suit
against appellees in the United States District Court for
the Northern District of California alleging, among other
things, various civil rights and antitrust violations and

seeking \$200,000 in damages. On November 1, 2018, the district court dismissed the case for failure to pay the filing fee. On June 13, 2024, Mr. Calderon Lopez filed a notice of appeal from a decision entered “11/01/2018” in the district court action. The notice of appeal was transmitted to this court, and it appears an appeal from the same district court decision is also pending in the United States Court of Appeals for the Ninth Circuit. *See Calderon-Lopez v. Off. of the Cal. Sec’y of State*, No. 24-3808 (9th Cir. June 20, 2024).

As this court has informed Mr. Calderon Lopez,¹ our jurisdiction to review district court decisions is generally limited to cases involving the patent laws, *see* 28 U.S.C. § 1295(a)(1); civil actions on review to the district court from the United States Patent and Trademark Office, *see* § 1295(a)(4)(C); and cases involving certain damages claims against the United States “not exceeding \$10,000 in amount,” 28 U.S.C. § 1346(a)(2), *see* 28 U.S.C. § 1295(a)(2). Mr. Calderon Lopez’s case does not fall within that jurisdiction. We conclude that dismissal, rather than transfer, is appropriate at least because an appeal from the same district court action is also pending in the Ninth Circuit. 28 U.S.C. §§ 41, 1291, 1294.

Accordingly,

IT IS ORDERED THAT:

(1) The appeal is dismissed.

¹ *See In re Calderon Lopez*, Appeal No. 2023-133, ECF No. 23 (Fed. Cir. Oct. 13, 2023); *Calderon Lopez v. O’Malley*, Appeal No. 2024-1698, ECF No. 7 (Fed. Cir. Apr. 24, 2024); *Calderon Lopez v. United States*, Appeal No. 2024-1947, ECF No. 4 (Fed. Cir. July 2, 2024).

CALDERON LOPEZ v. OFFICE OF THE SECRETARY OF STATE 3

(2) Each party shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

July 23, 2024
Date