

NOTE: This order is nonprecedential.

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

PAUL ANTHONY AQUINO,
Plaintiff-Appellant

v.

JOSEPH R. BIDEN, JR.,
Defendant-Appellee

2024-1974

Appeal from the United States District Court for the Central District of California in No. 2:24-cv-03538-RGK-JPR, Judge R. Gary Klausner.

PER CURIAM.

O R D E R

In response to this court's August 27, 2024 show cause order, Joseph R. Biden, Jr. argues for dismissal or transfer, ECF No. 5. Paul Anthony Aquino has not responded.

On April 30, 2024, Mr. Aquino sued the President of the United States, in his official capacity, seeking \$98 billion in damages for violating Title 18 of the United States Code and the Racketeer Influenced and Corrupt Organizations Act. On May 1, 2024, the district court denied Mr. Aquino's motion for leave to proceed *in forma pauperis*

because “[t]he action is frivolous or malicious” and dismissed the case with prejudice. Dkt. No. 8 at 1. On June 13, 2024, Mr. Aquino filed a notice of appeal directed to this court.

This court’s jurisdiction to review district court cases 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. Aquino’s case plainly does not fall within that jurisdiction. Though the President argues for dismissal on frivolousness grounds, we deem it the better course to transfer to the United States Court of Appeals for the Ninth Circuit under 28 U.S.C. § 1631 for that court’s consideration.

Accordingly,

IT IS ORDERED THAT:

The appeal and all its filings are transferred to the United States Court of Appeals for the Ninth Circuit pursuant to 28 U.S.C. § 1631.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

November 12, 2024
Date