

NOTE: This order is nonprecedential.

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

ELOY MASCORRO,
Plaintiff-Appellant

v.

**THE CITY OF SAN DIEGO, THE SAN DIEGO
POLICE DEPARTMENT, THE SAN DIEGO CHIEF
OF POLICE, OFFICERS 1-4,**
Defendants-Appellees

2024-1497

Appeal from the United States District Court for the
Southern District of California in No. 3:21-cv-01725-RSH-
DDL, Judge Robert S. Huie.

Before CHEN, LINN, and HUGHES, *Circuit Judges*.

PER CURIAM.

O R D E R

Eloy Mascorro appeals from the United States District Court for the Southern District of California's dismissal of his civil rights action against the listed defendants. In response to the court's March 14, 2024 order to show cause, Mr. Mascorro urges transfer to the United States Court of Appeals for the Ninth Circuit.

Our jurisdiction to review decisions of federal district courts generally extends only to cases arising under 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); or 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); 28 U.S.C. § 1292(c)(1). This case is outside of that limited subject matter jurisdiction. We may transfer to another court, if it is in the interest of justice, where “the action or appeal could have been brought at the time it was filed.” 28 U.S.C. § 1631. Here, the court concludes it appropriate to transfer to the Ninth Circuit. 28 U.S.C. §§ 41, 1291.

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

April 11, 2024
Date