

NOTE: This order is nonprecedential.

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

SYLVESTER THOMAS,
Petitioner-Appellant,

v.

STATE OF WISCONSIN,
Respondent-Appellee.

2012-1464

Appeal from the United States District Court for the
Western District of Wisconsin in case no. 12-CV-0079,
Senior Judge Barbara B. Crabb.

ON MOTION

O R D E R

Before RADER, *Chief Judge*, LOURIE and SCHALL, *Circuit
Judges.*

PER CURIAM.

O R D E R

In light of Sylvester Thomas's response to this court's
show cause order, we consider whether this appeal should

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be transferred to the United States Court of Appeals for the Seventh Circuit.

Thomas appeals from a decision of the United States District Court for the Western District of Wisconsin denying his Supplemental Motion to Dismiss Chapter 980 Petition Pursuant to Fed. R. Civ. P. 15(a) or to Withdraw His Plea Agreement Under Wis. Stat. 971.08 Due to Miscarriage of Justice. This is a court of limited jurisdiction. 28 U.S.C. § 1295. Because this case does not fall within our jurisdiction, the court will transfer the matter to the United States Court of Appeals for the Seventh Circuit.

Accordingly,

IT IS ORDERED THAT:

This appeal will be transferred to the United States Court of Appeals for the Seventh Circuit pursuant to 28 U.S.C. § 1631.

FOR THE COURT

/s/ Jan Horbaly
Jan Horbaly
Clerk

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