

NOTE: This order is nonprecedential.

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

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**DAVID D. EVERIST,**  
*Plaintiff-Appellant,*

v.

**DEPARTMENT OF AGRICULTURE FOREST  
SERVICE, DONNA MICKLEY, SECRETARY OF THE  
INTERIOR, DAYNE BARRON, ATTORNEY  
GENERAL OF U.S. AND DOUGLAS FONG,**  
*Defendants-Appellees,*

AND

**CITY OF MEDFORD, OREGON, MARK D. CLARKE,  
JANE DOE, JOHN DOE, AND OWEN M. PANNER,**  
*Defendants.*

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2014-1358

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Appeal from the United States District Court for the  
District of Oregon in No. 1:14-cv-00199-CL, Magistrate  
Judge Mark D. Clark.

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**ON MOTION**

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PER CURIAM.

**O R D E R**

This court considers whether this appeal should be transferred due to lack of jurisdiction.

David D. Everist appeals a decision from the United States District Court for the District of Oregon that dismissed his complaint appearing to allege violations under the Federal Land Policy Management Act and Executive Order # 12630. This court is a court of limited jurisdiction. 28 U.S.C. § 1295. Based only upon our review, it is not clear that the District of Oregon's jurisdiction arose in whole or in part under the laws governing this court's appellate jurisdiction.

Accordingly,

IT IS ORDERED THAT:

- (1) Everist is directed to show cause within 21 days from the date of this order why his appeal should not be transferred to the United States Court of Appeals for the Ninth Circuit pursuant to 28 U.S.C. § 1631. The appellees are also directed to respond within that time.
- (2) The briefing schedule is stayed.

FOR THE COURT

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court