

NOTE: This order is nonprecedential.

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

DAVID ROWLAND MANUEL,
Petitioner-Appellant

v.

UNITED STATES,
Respondent-Appellee

2023-1388

Appeal from the United States District Court for the District of Columbia in No. 1:22-cv-03619-UNA, Judge Amy Berman Jackson.

PER CURIAM.

O R D E R

Having received no responses to the order to show cause why this case should not be dismissed or transferred for lack of jurisdiction, we conclude that transfer under 28 U.S.C. § 1631 is appropriate under the circumstances.

David Rowland Manuel brought suit against the United States in the United States District Court for the District of Columbia seeking \$15,000 for alleged criminal violations of the Privacy Act under 5 U.S.C. § 552a(i)(1), (2), (3). The district court dismissed the

complaint without prejudice, and Mr. Manuel appeals to this court.

Although this court possesses jurisdiction to review district court decisions 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. Manuel’s claim against the United States exceeds \$10,000. Thus, “the district court’s jurisdiction was not based, ‘in whole or in part, on [28 U.S.C. § 1346].’ That being the case, this court has no jurisdiction over [Mr. Manuel’s] appeal from the district court judgment.” *Bragg v. Keohane*, 820 F.2d 402, 403–04 (Fed. Cir. 1987) (quoting 28 U.S.C. § 1295(a)(2)). The appropriate regional circuit for review of Mr. Manuel’s appeal is the United States Court of Appeals for the D.C. 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 D.C. Circuit pursuant to 28 U.S.C. § 1631.

FOR THE COURT

April 6, 2023
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court