

NOTE: This order is nonprecedential.

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

CHEYENNE MITCHELL FRAZIER,
Plaintiff-Appellant

v.

MARLIN, TX,
Defendant

**NATHAN SODEK, by and through his heirs at law,
Vicki Sodek and Randy Sodek,**
Defendant-Appellee

2023-1865

Appeal from the United States District Court for the
Western District of Texas in No. 6:19-cv-00645-JCM, Mag-
istrate Judge Jeffrey C. Manske.

Before DYK, CUNNINGHAM, and STARK, *Circuit Judges*.

PER CURIAM.

O R D E R

Having received no response to the court's July 12,
2023, order to show cause, we now transfer.

Cheyenne Mitchell Frazier filed this suit in the United
States District Court for the Western District of Texas

against former Chief of Police Nathan Sodek, his heirs, and the city of Marlin, Texas, asserting violation of her civil rights, Fourth Amendment rights under the U.S. Constitution, and rights under the Texas Constitution. The district court dismissed Ms. Frazier's case for failure to prosecute. She then filed an appeal seeking review in this court.

This appeal does not fall within the limited authority that Congress granted this court to review decisions of federal district courts. That jurisdiction extends 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 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). Lacking jurisdiction, we may transfer to another court where "the action or appeal could have been brought at the time it was filed." 28 U.S.C. § 1631. Here, the appropriate court is the United States Court of Appeals for the Fifth Circuit.

Accordingly,

IT IS ORDERED THAT:

This appeal and all transmittals are transferred to the United States Court of Appeals for the Fifth Circuit pursuant to 28 U.S.C. § 1631.

October 25, 2023

Date

FOR THE COURT

/s/ Jarrett B. Perlow

Jarrett B. Perlow

Clerk of Court