

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1533

TIMOTHY PETER BAKER,

Plaintiff-Appellant,

v.

JANET NAPOLITANO, Secretary of Homeland Security,

Defendant-Appellee,

and

AMY KATHARINE JOHNSON and RYAN WEDLUND,

Defendants.

Appeal from the United States District Court for the Southern District of Alabama in
case no. 1:09-CV-00036, Judge Callie V.S. Granade.

ON MOTION

Before MICHEL, Chief Judge, SCHALL and LINN, Circuit Judges.

PER CURIAM.

ORDER

The parties respond to the court's November 2, 2009 order directing a response as to whether this appeal should be transferred to the United States Court of Appeals for the Eleventh Circuit or dismissed.

Timothy Peter Baker appeals from a decision of the United States District Court for the District of Alabama, dismissing his complaint with prejudice. Baker's complaint alleged wrongdoing stemming from a prior settlement agreement between Baker and the Department of Homeland Secretary. This court is a court of limited jurisdiction. 28 U.S.C. § 1295. Because this case does not fall within our jurisdiction, we transfer this appeal to the United States Court of Appeals for the Eleventh Circuit pursuant to 28 U.S.C. § 1631.

Accordingly,

IT IS ORDERED THAT:

The motion to transfer is granted. The appeal is transferred to the United States Court of Appeals for the Eleventh Circuit.

FOR THE COURT

DEC 17 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Timothy Peter Baker
Devin A. Wolak, Esq.

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

DEC 17 2009

**JAN HORBALY
CLERK**