

NOTE: This order is nonprecedential.

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

LAWRENCE RASHUAN JEANPIERRE,
Petitioner

v.

UNITED STATES,
Respondent

2022-1389

Appeal from the Board of Correction for Army Records
in No. AR20170008831.

ON MOTION

Before PROST, REYNA, and CUNNINGHAM, *Circuit Judges*.
PER CURIAM.

O R D E R

Responding to the court's February 17, 2022, order to show cause, the United States urges dismissal of this appeal from a decision of the Board of Correction for Army Records (the "Board"). Lawrence Rashuan JeanPierre submits a motion for leave to proceed *in forma pauperis* but has not responded to the order to show cause.

This court's limited subject matter jurisdiction does not extend to appeals directly from the Board. 28 U.S.C. § 1295. When this court lacks jurisdiction, it may, under 28 U.S.C. § 1631, transfer a case to another court where it could have been brought. While the United States indicates that the United States Court of Federal Claims would have jurisdiction over this matter generally, it urges dismissal on the ground that the applicable statute of limitations would bar any claim before the Court of Federal Claims. We deem it the better course to transfer the case to the Court of Federal Claims to make a determination as to the application of the statute of limitations in the first instance.

Accordingly,

IT IS ORDERED THAT:

Pursuant to 28 U.S.C. § 1631, this case and all transmittals are transferred to the United States Court of Federal Claims.

FOR THE COURT

April 18, 2022

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court