

NOTE: This order is nonprecedential.

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

WILLIAM OSCAR HARRIS,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2014-5044

Appeal from the United States Court of Federal
Claims in No. 1:13-cv-00824-LJB, Judge Lynn J. Bush.

ON MOTION

PER CURIAM.

ORDER

The United States moves to dismiss William Oscar Harris's appeal for lack of jurisdiction. Mr. Harris opposes. Mr. Harris moves for leave to file his reply brief and for leave to proceed in forma pauperis. The United States opposes.

The United States Court of Federal Claims has stayed discovery in Mr. Harris's case while it considers the government's pending motion to dismiss. It has not

issued any final decision pursuant to 28 U.S.C. § 1295(a)(3). While Mr. Harris argues that this court possesses jurisdiction pursuant 9 U.S.C. § 16(a)(1)(A), he has not established the right to file an interlocutory appeal under the Federal Arbitration Act. There is no evidence that a contract containing an arbitration clause is at issue here.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion to dismiss is granted.
- (2) All other motions are moot.
- (3) Each side shall bear its own costs.

FOR THE COURT

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

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ISSUED AS A MANDATE: April 23, 2014