

NOTE: This order is nonprecedential.

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

**FIFTY-SIX HOPE ROAD MUSIC, LTD.
AND ZION ROOTSWEAR, LLC,**
Plaintiffs-Appellees,

v.

**A.V.E.L.A., INC., X ONE X MOVIE ARCHIVE, INC.,
JEM SPORTSWEAR, CENTRAL MILLS, INC.
(FREEZE), AND LEO VALENCIA,**
Defendants-Appellants.

2011-1262

Appeal from the United States District Court for the
District of Nevada in case no. 08-CV-0105, Judge Philip
M. Pro.

ON MOTION

O R D E R

The court considers whether this appeal should be
transferred to the United States Court of Appeals for the
Ninth Circuit.

Defendants A.V.E.L.A., Inc., X One X Movie Archive,
Inc., Jem Sportswear, Central Mills, Inc., and Leo Valen-

cia appeal from a decision of the United States District Court for the District of Nevada entering a partial monetary judgment and a permanent injunction, arising from a claim of unfair competition under 15 U.S.C. § 1125(a). This court is a court of limited jurisdiction. 28 U.S.C. § 1295. Based only upon our review, it does not appear that the district court's jurisdiction arose in whole or in part under the laws governing this court's appellate jurisdiction.

Accordingly,

IT IS ORDERED THAT:

Absent a response received by this court within 14 days of the date of filing of this order, this appeal will be transferred to the United States Court of Appeals for Ninth Circuit pursuant to 28 U.S.C. § 1631.

FOR THE COURT

APR 06 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Jill M. Pietrini, Esq.
Douglas D. Winter, Esq.

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

APR 06 2011

JAN HORBALY
CLERK