

NOTE: This order is nonprecedential.

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

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**WILLIAM PIKULIN,**  
*Plaintiff-Appellant,*

v.

**UNITED STATES**  
*Defendant-Appellee.*

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2011-5060

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Appeal from the United States Court of Federal  
Claims in case no. 11-CV-046, Judge Margaret M.  
Sweeney.

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**ON MOTION**

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Before NEWMAN, SCHALL, and DYK, *Circuit Judges.*  
PER CURIAM.

**O R D E R**

William Pikulin moves to stay proceedings. The  
United States opposes, moves to dismiss the appeal as  
frivolous and in the alternative moves to summarily  
affirm the judgment of the United States Court of Federal

Claims. Pikulin moves to strike the United States' response and also moves for sanctions. The United States opposes Pikulin's motions.

Pikulin filed a complaint in the Court of Federal Claims against President Barack Obama and various government officials in connection with his loss of contracts with the City University of New York in the late 1980's. The Court of Federal Claims dismissed the complaint, finding it lacked jurisdiction over Pikulin's allegations that the defendants violated various criminal and civil rights laws, etc.. The Court of Federal claims also found that Pikulin's claims were time-barred. The Court of Federal Claims further found Pikulin's complaint frivolous, noting that he had filed five related suits in the Court of Federal Claims, as well as numerous suits in the United States District Courts for the Southern and Eastern Districts of New York. Pikulin appeals.

An appeal is frivolous when an appellant grounds his appeal on arguments or issues that are "beyond the reasonable contemplation of fair-minded people." *Abbs v. Principi*, 237 F.3d 1342, 1345 (Fed. Cir. 2001). Moreover, an appeal as to which "no basis for reversal in law or fact can be or is even arguably shown" is frivolous. *State Indus., Inc. v. Mor-Flo Indus., Inc.*, 948 F.2d 1573, 1578 (Fed. Cir. 1991). Such an appeal unnecessarily wastes the limited resources of the court as well as those of the appellee. *Id.*

When an appellant is proceeding in forma pauperis, as Pikulin is in this appeal, "the court shall dismiss the case at any time if the court determines that . . . the action or appeal . . . is frivolous . . . ." 28 U.S.C. § 1915(e)(2). In the papers submitted, Pikulin provides no basis for jurisdiction in the Court of Federal Claims and makes no arguments concerning the Court of Federal

Claims determination that his complaint was time-barred.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The United States' motion to dismiss the appeal as frivolous is granted.

(2) Pikulin's motions to stay the briefing schedule and strike and for sanctions are denied. All other motions are moot.

(3) Each side shall bear its own costs.

FOR THE COURT

JUL 7 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: William Pikulin  
John S. Groat, Esq.

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Issued As A Mandate: JUL 7 2011

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

JUL 07 2011

JAN HORBALY  
CLERK