

NOTE: This is a nonprecedential order.

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

IN RE IRIS L. CARTER,
Petitioner.

Miscellaneous Docket No. 980

On Petition for Writ of Mandamus to the United States
District Court for the District of New Jersey in case no.
09-CV-6124, Judge Joel A. Pisano.

ON PETITION

Before GAJARSA, MAYER and PROST, *Circuit Judges.*

PER CURIAM.

ORDER

The petitioner, Iris L. Carter, is a plaintiff in an employment discrimination suit she filed in the United States District Court for the District of New Jersey. Her petition appears to seek a writ of mandamus directing the district court to enter default judgment against the defendants in her case.

Under 28 § U.S.C. 1651, this court may only “issue writs necessary or appropriate in aid of [its] jurisdiction[.]” Power to issue writs of mandamus depends on power to entertain appeals when the case ends. *In re BBC Int'l, Ltd.*, 99 F.3d 811, 813 (7th Cir. 1996). Any appeal from a final decision of the district court in this employment discrimination matter under Title VII of the Civil Rights Act of 1964 will go to the United States Court of Appeals for the Third Circuit. Because the Third Circuit rather than this court will have jurisdiction to entertain any appeal, we also lack jurisdiction over this petition. We therefore transfer the matter pursuant to 28 U.S.C. 1631. *See generally BBC*, 99 F.3d at 813 (holding that a court of appeals may transfer petitions for writ of mandamus to the court of proper jurisdiction pursuant to § 1631).

Accordingly,

IT IS ORDERED THAT:

The petition for a writ of mandamus is transferred to the United States Court of Appeals for the Third Circuit pursuant to 28 U.S.C. § 1631.

JUN 22 2011

Date

FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Iris L. Carter
Eric M. Snyder, Esq.

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

JUN 22 2011

JAN HORBALY
CLERK