

NOTE: This order is nonprecedential.

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

CASH FLOW FINANCIAL, LLC,
Plaintiff-Appellee,

v.

**DARLENE A. BISHOP, DOING BUSINESS AS
PARADIZE FUNDING NETWORK,**
Defendant-Appellant,

AND

LINDA L. TORTORIELLO,
Defendant-Appellant,

AND

SUPERIOR CONTRACTING OF THE NE, INC.,
Defendant-Appellant,

AND

**AISHA HALL, ALSO KNOWN AS AISHA ROCHES-
TER, ELSIE LEE SANCHEZ, DOING BUSINESS AS
L'C ENTERPRISES, JAMES HINKLE, DOING
BUSINESS AS AS 1 INTERNATIONAL, AND KURT
WALKER,**
Defendants.

2012-1041

Appeal from the United States District Court for the Western District of Texas in case no. 09-CV-0029, Judge Robert A. Junell.

ON MOTION

Before NEWMAN, LINN, and REYNA, *Circuit Judges*.

PER CURIAM.

O R D E R

Appellee Cash Flow Financial, LLC moves to dismiss this appeal for lack of subject-matter jurisdiction.

Cash Flow Financial, LLC, filed suit against Darlene A. Bishop, Linda L. Tortoriello, and Superior Contracting of the NE, Inc. (as well as others) asserting claims arising under the Securities Exchange Act and the Securities Act, as well as alleging fraud and breach of contract. Following a bench trial, the district court found Appellants liable to Cash Flow Financial, LLC, for an amount in excess of \$1.7 million. After the district court entered final judgment, Appellants, acting *pro se*, submitted a Notice of Appeal expressly seeking review by this court.

Recognizing that this appeal does not fall within the jurisdiction of this court, Cash Flow notes that the appeal has now been correctly docketed in the Fifth Circuit as Appeal No. 11-51007. Cash Flow further states that Appellants have no objection to the dismissal of this appeal. Thus, we need not transfer this appeal to the Fifth Circuit.

Accordingly,

IT IS ORDERED THAT:

- 1) The motion to dismiss is granted.
- 2) Each side shall bear its own costs.

FOR THE COURT

JAN 13 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Harry H. Wise, III, Esq.
Darlene A. Bishop
Linda L. Tortoriello

s25

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

JAN 13 2012

Issued As A Mandate: JAN 13 2012

JAN HORBALY
CLERK