

NOTE: This order is nonprecedential.

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

DERRICK MIKE ALLEN,
Plaintiff-Appellant

v.

**JEFF JACKSON, in his official capacity as North
Carolina Attorney General, NORTH CAROLINA
DEPARTMENT OF JUSTICE, TYLER BROOKS,
STATE OF NORTH CAROLINA, ROY COOPER, in
his official capacity as former Governor of North
Carolina, JOSH STEIN, in his official capacity as
Governor of North Carolina, WAKE COUNTY
DETENTION CENTER, WAKE COUNTY PUBLIC
SAFETY CENTER,**
Defendants

2025-1679

Appeal from the United States District Court for the
District of Columbia in No. 1:25-cv-00842-UNA, Judge
Christopher R. Cooper.

PER CURIAM.

O R D E R

In response to the court's May 23, 2025 order to show
cause, Derrick Mike Allen requests transfer to the United

States Court of Appeals for the District of Columbia Circuit.

Mr. Allen filed a complaint against state and local officials and entities in the United States District Court for the District of Columbia and moved for leave to proceed *in forma pauperis* (“IFP”). On March 27, 2025, the district court ordered Mr. Allen to provide a certified copy of his prison trust account statement or to inform the court that he was no longer in custody. Mr. Allen then filed a notice of appeal directed to this court from “the decision of [the] United States District Judge,” ECF No. 1-2 at 1. His motion for IFP before the district court remains pending.

As Mr. Allen recognizes in his response, this appeal does not fall within the limited authority that Congress granted this court to review decisions of federal district courts. *See* 28 U.S.C. § 1295(a). While Mr. Allen requests transfer to the United States Court of Appeals for the District of Columbia Circuit under 28 U.S.C. § 1631, such transfer would not be appropriate because Mr. Allen is seeking review of an order that is clearly interlocutory and not appealable to any court. *Cf. Roberts v. U.S. Dist. Ct. for N. Dist. of Cal.*, 339 U.S. 844, 845 (1950) (holding that *denial* of an IFP motion is an appealable order).

Accordingly,

IT IS ORDERED THAT:

ALLEN v. JACKSON

3

- (1) The appeal is dismissed.
- (2) Each side shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

August 12, 2025
Date