

NOTE: This order is nonprecedential.

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

DERRICK ALLEN,
Plaintiff-Appellant

v.

**STATE OF NORTH CAROLINA, JOSH STEIN, Gov-
ernor, ROY COOPER, ROBERT GRAY, RALEIGH
POLICE DEPARTMENT, JUDITH A. FORTNEY,
KELDA DAVIS, CHARLES HUNTER, DUCE
BAILSBONDING, GRAIL HUNTER, DEVIN
HUNTER, LIBRIA STEPHENS, MAYOR OF
RALEIGH, RALEIGH'S CITY CLERK, RALEIGH'S
CITY MANAGER, WALMART, INC., (Brier Creek),
WAKE COUNTY SHERIFF OFFICE, WAKE
COUNTY DETENTION CENTER, DURHAM POLICE
DEPARTMENT, DURHAM SHERIFF
DEPARTMENT, AVON RIVERIA, (Robert White),
*Defendants-Appellees***

2025-1704

Appeal from the United States District Court for the
District of Columbia in No. 1:25-cv-00787-UNA, Judge
Christopher R. Cooper.

ON MOTION

PER CURIAM.

O R D E R

Derrick Allen moves for leave to proceed *in forma pauperis* (IFP) and submits his opening brief but has not responded to the court's show cause order directing him to address our jurisdiction.

Mr. Allen filed a complaint against state and private entities in the United States District Court for the District of Columbia and moved for leave to proceed IFP. On March 25, 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.

This appeal does not fall within the limited authority that Congress granted this court to review decisions of federal district courts. That jurisdiction extends only to cases arising under the patent laws, *see* 28 U.S.C. § 1295(a)(1); civil actions on review to the district court from the United States Patent and Trademark Office, *see* § 1295(a)(4)(C); or certain damages claims against the United States "not exceeding \$10,000 in amount," 28 U.S.C. § 1346(a)(2), *see* 28 U.S.C. § 1295(a)(2). While 28 U.S.C. § 1631 authorizes this court to transfer a case to another appropriate court, here 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:

- (1) The appeal is dismissed.

ALLEN v. STATE OF NORTH CAROLINA

3

(2) ECF No. 4 is denied.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

July 17, 2025
Date