

NOTE: This order is nonprecedential.

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

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**ERIC EMANUEL TAYLOR,**  
*Petitioner*

v.

**PEOPLE OF THE VENUE OF THE FOREIGN  
UNITED STATES OF AMERICA,**  
*Respondent*

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2026-134

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On Petition for Permission to Appeal pursuant to 28 U.S.C. Section 1292(b) from the United States District Court for the District of Columbia in No. 1:25-cv-03967-UNA, Judge Tanya S. Chutkan.

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**ON PETITION**

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PER CURIAM.

**ORDER**

On March 9, 2026, the United States District Court for the District of Columbia dismissed Eric Emanuel Taylor's complaint alleging, among other things, the "government's perpetration of tort," Compl. at 1. On March 23, 2026, this court received Mr. Taylor's "petit[i]on for appeal by

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permission,” which also includes a request for this court to transfer the appeal to the Supreme Court of the United States. ECF No. 2-1 at 1, 3. We deny the petition but treat the submission as a timely notice of appeal and direct the parties to show cause whether this court has jurisdiction.

As relevant here, 28 U.S.C. § 1292(b) authorizes a court of appeals to permit an appeal of an interlocutory order only after the district court has certified that the appeal presents a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation. The district court did not issue a certification in this case. Therefore, Mr. Taylor cannot bring any appeal under section 1292(b).

Nonetheless, Mr. Taylor’s petition seeks review of a “final appealable Order,” ECF No. 2-1 at 7, and bears all the necessary hallmarks of a timely notice of appeal from a final, appealable decision. We therefore treat it as such, and transmit the filing, ECF No. 2, to the Clerk of the District Court for the District of Columbia for docketing as a notice of appeal from No. 1:25-cv-03967-UNA filed on March 23, 2026. *See* Fed. R. App. P. 4(d) (“If a notice of appeal . . . is mistakenly filed in the court of appeals, the clerk of that court must note on the notice the date when it was received and send it to the district clerk. The notice is then considered filed in the district court on the date so noted.”). Once received by that clerk, the district court shall transmit the notice of appeal back to this court for docketing.

In the meantime, the parties are directed to show cause as to why this court has jurisdiction over Mr. Taylor’s appeal. Although this court has jurisdiction to review certain district court decisions, that authority is limited in a way that may apply here: We generally only review such cases that arise 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 id.*

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§ 1295(a)(4)(C); or cases involving certain damages claims against the United States “not exceeding \$10,000 in amount,” *id.* § 1346(a)(2), *see id.* § 1295(a)(2). Where this court lacks jurisdiction, and if it is in the interest of justice, the court shall transfer the case to an appropriate court. *See* 28 U.S.C. § 1631.

Accordingly,

IT IS ORDERED THAT:

- (1) The petition is denied.
- (2) ECF No. 2 is transmitted to the Clerk of the United States District Court for the District of Columbia to be docketed as a notice of appeal received March 23, 2026.
- (3) The Clerk of this court shall transfer this matter to this court’s normal appeals docket, in which the Clerk will docket this order, all pending motions, and the notice of appeal once returned by the district court. The motions shall be held in abeyance, and proceedings in the appeal will be stayed except for responses to this order.
- (4) Within 30 days from the date of entry of this order, the parties are directed to address this court’s jurisdiction over the appeal, including whether it should be dismissed or transferred. Any response(s) to this order shall be dock-

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eted under the number of the appeal.

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

May 4, 2026  
Date

cc: United States District Court for the District of Columbia