

NOTE: This order is nonprecedential.

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

WILLIAM M. FULKERSON,
Plaintiff-Appellant

v.

NEW MEXICO DEPARTMENT OF JUSTICE,
Defendant-Appellee

**RAUL TORREZ, HECTOR BALDERAS, ANDREW J.
DEAKYNE, RODNEY GABALDON,**
Defendants

2026-1358

Appeal from the United States District Court for the District of New Mexico in No. 1:25-cv-00258-WJ-KK, Judge William P. Johnson.

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

PER CURIAM.

O R D E R

William M. Fulkerson filed suit in federal district court in New Mexico against the New Mexico Department of Justice, the New Mexico Attorney General, and several former Attorneys General seeking \$50 million for alleged

constitutional and civil rights violations following litigation related to his prior Social Security Administration employment. He now appeals the district court's dismissal of his complaint.¹ In response to this court's order to show cause, Mr. Fulkerson argues in support of our jurisdiction, and the New Mexico Department of Justice urges dismissal.

Mr. Fulkerson urges the court to assert jurisdiction pursuant to 28 U.S.C. § 1295(a)(9), contending that his complaint referenced issues concerning his prior appeals to the Merit Systems Protection Board, but this appeal challenges a decision of a district court dismissing that complaint. Generally, this court only has jurisdiction over an appeal from a final district court decision in cases involving 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.* § 1295(a)(4)(C); and cases involving certain damages claims against the United States not exceeding \$10,000 in amount, *id.* §§ 1295(a)(2), 1346(a)(2). Mr. Fulkerson has failed to show that this case falls within that limited review authority. We have considered the Department's arguments to dismiss on the merits, but under the circumstances we deem it the better course to transfer pursuant to 28 U.S.C. § 1631.

Accordingly,

IT IS ORDERED THAT:

¹ Mr. Fulkerson's notice of appeal was initially transmitted to the United States Court of Appeals for the Tenth Circuit, which transferred it here because it names this court. *Cf.* Fed. R. App. P. 3(d)(1).

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This matter and all case filings are transferred to the United States Court of Appeals for the Tenth Circuit pursuant to 28 U.S.C. § 1631.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

June 29, 2026
Date