

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 14-1128**September Term, 2014****EDUC-June 2014 Letter****Filed On:** December 3, 2014

Eric Flores,

Petitioner

v.

United States Department of Education and
United States Department of Justice,

Respondents

BEFORE: Henderson and Srinivasan, Circuit Judges; Ginsburg, Senior Circuit
Judge

ORDER

Upon consideration of the petition for review; the motion to exceed page limits; the motion styled as “motion to request record from agency;” the motion for an injunction, styled as “motion seeking relief from imminent danger;” the motion “to vacate existing order;” the response to the motions, combined with a motion to dismiss for lack of jurisdiction; the responses to the motion to dismiss, combined with a motion for “agency filing of the administrative record;” the renewed motion for an injunction, and the response thereto; the motion styled as “motion to present substantive guidelines by which to judge the agenc[y’s] action;” the petition for panel rehearing; and the motion for leave to proceed in forma pauperis, it is

ORDERED that the motion for leave to proceed in forma pauperis be granted. It is

FURTHER ORDERED that the motion to dismiss be granted. Petitioner has not met his burden of demonstrating that this court has subject matter jurisdiction over his petition for review. See Georgiades v. Martin-Trigona, 729 F.2d 831, 833 n.4 (D.C. Cir. 1984); see also Nat’l Auto. Dealers Assn v. FTC, 670 F.3d 268, 305 (D.C. Cir. 2012) (citations omitted) (“normal default rule” in this circuit is that a challenge to agency action proceeds first to district court, unless the governing statute specifically confers jurisdiction to directly review agency action); Eric Flores v. United States Dep’t of

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Education, et al., No. 13-1161 (D.C. Cir. Oct. 15, 2013) (dismissing petition for lack of subject matter jurisdiction). It is

FURTHER ORDERED that the requests for an administrative record, for injunctive relief, for panel rehearing, to exceed page limits, to vacate, and to provide substantive guidelines be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam