

No. _____

**In The
Supreme Court of the United States**

JUSTIN PAUL DREILING

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF
APPEALS FOR THE FEDERAL CIRCUIT

APPENDIX

Justin Paul Dreiling
112 Highland Woods Dr.
Waynesville, MO 65583
(515) 520-9302
speier.justin@gmail.com

Pro Se Petitioner

AUGUST MMXXVI

APPENDIX

TABLE OF CONTENTS

Appendix A

Order, United States Court of Appeals for the Federal Circuit, <i>Justin Paul Dreiling v. United States</i> , No. 26-1409 (May 22, 2026).....	App-1
---	-------

Appendix B

Defendant-Appellee's Motion for Summary Affirmance, United States Court of Appeals for the Federal Circuit, <i>Justin Paul Dreiling v. United States</i> , No. 26-1409 (Mar. 20, 2026)	App-4
---	-------

Appendix C

CAFC ECF No. 11, United States Court of Appeals for the Federal Circuit, <i>Justin Paul Dreiling v. United States</i> , No. 26-1409 (Mar. 30, 2026).....	App-11
Plaintiff-Appellant's Response to Defendant- Appellee's Motion For Summary Affirmance, United States Court of Appeals for the Federal Circuit, <i>Justin Paul Dreiling v. United States</i> , No. 26-1409 (Mar. 24, 2026).....	App-11
Application For Circuit Justice Allotment To The United States Court Of Appeals For The Federal Circuit In Accordance With 28 U.S.C. § 42, Sup-	

App-ii

reme Court of the United States, *Justin Paul Dreiling v. United States*,
No. _____ (Feb. 25, 2026)..... App-28

Response Letter of Clerk of the Supreme Court of
the United States: RE: "Application for Circuit
Justice Allotment to the United States Court of
Appeals for the Federal Circuit in Accordance with
28 U.S.C. 42",
(Mar. 4, 2026)..... App-34

Appendix D

Order [complaint dismissed], United States Court of
Federal Claims, *Justin Paul Dreiling v. The United
States*,
No. 25-2133 (Jan. 7, 2026)..... App-39

App-1

Appendix A

[Filed: May 22, 2026]

NOTE: This order is nonprecedential.

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

JUSTIN PAUL DREILING,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2026-1409

Appeal from the United States Court of Federal
Claims in No. 1:25-cv-02133-LAS, Senior Judge
Loren A. Smith.

ON MOTION

Before TARANTO, HUGHES, and STOLL, *Circuit
Judges.*

PER CURIAM.

O R D E R

Justin Paul Dreiling brought this suit against the
United States seeking a declaration that “[t]he com-
position of the Judicial Council of the Federal Circuit”

App-2

is "contrary to law" by not including district court judges and challenging "the ability" of the Council to issue certain orders. ECF No. 7 at 63, 73. The United States Court of Federal Claims dismissed for lack of jurisdiction. Mr. Dreiling appeals and files his opening brief. The United States moves to summarily affirm. Mr. Dreiling opposes.

As long understood by the Supreme Court, the Tucker Act, 28 U.S.C. § 1491, limits the review authority of the Court of Federal Claims to claims for money damages against the United States based on sources of substantive law that "can fairly be interpreted as mandating compensation by the Federal Government," *United States v. Navajo Nation*, 556 U.S. 287, 290 (2009) (citation omitted). Here, Mr. Dreiling has readily acknowledged that he is not presenting such claims. ECF No. 11 at 8, 12. Thus, "no substantial question regarding the outcome . . . exists." *Joshua v. United States*, 17 F.3d 378, 380 (Fed. Cir. 1994).

Mr. Dreiling contends that "[t]he jurisdiction of the[] Court of Federal Claims under 28 U.S.C. § 1491(a)(1) is not limited to only money-mandating claims." ECF No. 7 at 53. But, as we have repeatedly explained to him, "[t]his court has no power to overturn long-standing and binding Supreme Court precedent holding the Court of Federal Claims' jurisdiction is limited to monetary claims against the government." *Dreiling v. United States*, No. 2025-2155, 2026 WL 1020560, at *2 (Fed. Cir. Apr. 15, 2026).

Mr. Dreiling also opposes the motion based on the assertion that we (and all members of the Judicial Council) should recuse as "a party to the appeal." ECF No. 11 at 5 (citing 28 U.S.C. § 455). However, the

App-3

judges on this panel are not the defendants here. And we readily find a reasonable observer would not conclude that our membership on the Judicial Council is a basis to reasonably question our impartiality in deciding whether Mr. Dreiling's claims against the United States fall within the limited jurisdiction of the Court of Federal Claims.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion for summary affirmance is granted. The judgment of the United States Court of Federal Claims is summarily affirmed.
- (2) Any other pending motion is denied.
- (3) Each side shall bear its own costs.

FOR THE COURT

[Seal of the Court]

May 22, 2026

Date

/S/ Jarrett B. Perlow

Jarret B. Perlow

Clerk of Court

App-39

Appendix D

[Filed: January 7, 2026]

In the United States Court of Federal Claims

25-2133

Filed January 7, 2026

JUSTIN PAUL DREILING,	)
Plaintiff,	)
	)
v.	)
	)
THE UNITED STATES,	)
Defendant.	)

ORDER

On December 17, 2025, Justin Paul Dreiling, proceeding *pro se*, filed a complaint with this Court alleging that certain actions taken by the Judicial Council of the Federal Circuit prevented United States Circuit Judge Pauline Newman from participating in various proceedings in the United States Court of Appeals for the Federal Circuit. *See* Compl. ¶¶ 6, 17–21, ECF No. 1. According to Mr. Dreiling, the Judicial Council’s decision to restrict Circuit Judge Newman’s participation in proceedings before the Federal Circuit supplies a basis for his two claims. *Id.* ¶¶ 22–34, 35–45.

On December 19, 2025, the Court issued an order to show cause, noting that it “seriously doubts that it has jurisdiction over Mr. Dreiling’s claims” because the Court of Federal Claims can only exercise jurisdiction over money-mandating claims against the

federal government. *See* Dec. 19, 2025 Order, ECF No. 4 at 1. In contrast, the claims asserted in Mr. Dreiling's complaint—founded upon §§ 332(a)(1) and 354(a)(2)(A)(i)—do not supply money-mandating claims against the United States. *See* 28 U.S.C. § 332(a)(1) (specifying that the chief judge of each judicial circuit shall hold meetings of the judicial counsel "at least twice in each year"); 28 U.S.C. § 354(a)(2)(A)(i) (outlining the actions that the judicial council can take upon receiving a complaint against a judge under 28 U.S.C. § 353). The show cause order also directed Mr. Dreiling to submit a response identifying which "money-mandating source or sources of law he is invoking and explain why this Court has jurisdiction over this case." *Id.*

On January 5, 2026, Mr. Dreiling filed a response to the Court's order to show cause. *See* ECF No. 5. In his response, Mr. Dreiling argues that the Court retains jurisdiction over Count I because that claim alleges that § 354(a)(2)(A)(i) "is contrary to the manifest tenor of the Constitution." *Id.* at 37. For Count II, Mr. Dreiling argues that jurisdiction is proper in this Court because that claim "is based on the fact the Judicial Council of the Federal Circuit improperly executed a law of Congress." *Id.*

After careful review, the Court concludes that it lacks subject-matter jurisdiction over both of Mr. Dreiling's claims as neither claim provides a money-mandating cause of action against the federal government. The Court accordingly **DISMISSES** Mr. Dreiling's complaint, ECF No. 1, **WITHOUT PREJUDICE** under Rule 12(h)(3) of the Rules of the United States Court of Federal Claims. The clerk is directed to enter judgment accordingly.

App-41

IT IS SO ORDERED.

s/ Loren A. Smith
Loren A. Smith,
Senior Judge