

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 26-1385

IN RE: AZAD A. KABIRR, M.D. MSPH,
Petitioner

On a Petition for Writ of Mandamus to the
United States District Court for the District of New Jersey
(Related to Civ. No. 2:25-cv-15207)

Submitted Pursuant to Rule 21, Fed. R. App. P.
May 28, 2026
Before: KRAUSE, MATEY, and BOVE, *Circuit Judges*

(Opinion filed: June 23, 2026)

OPINION*

PER CURIAM

Azad Kabir petitions this Court for a writ of mandamus. Because we determine that we lack jurisdiction to entertain the mandamus petition, we will dismiss it.

Our mandamus jurisdiction derives from 28 U.S.C. § 1651, which grants us the power to “issue all writs necessary or appropriate in aid of [our . . . jurisdiction] and

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

agreeable to the usages and principles of law.” The underlying patent infringement action was brought pursuant to 28 U.S.C. § 1338(a), and was based entirely on federal patent law. The Federal Circuit has exclusive appellate jurisdiction over those actions, *see* 28 U.S.C. § 1295(a)(1), and, thus, it has exclusive mandamus jurisdiction as well, *see In re Arunachalam*, 812 F.3d 290, 293 (3d Cir. 2016) (per curiam). Therefore, because we lack jurisdiction that issuance of the writ might assist, we lack jurisdiction over the mandamus petition.

Based on the foregoing, we will dismiss the petition for a writ of mandamus.