

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 26-1526

TONY PING YEW, Executor of Estate of John Y. Wei,
Appellant

v.

ATTORNEY GENERAL NEW JERSEY; HON. THOMAS W. SUMNERS, JR.; HON.
KATIE A. GUMMER, J.A.D.; HON. CARMEN MESSANO, P.J.A.D.; HON. OSTRER;
HON. LISA M. VIGNUOLO, J.S.C.; HON. DENNIS NIEVES, J.S.C.; HON. BINA
DESAI, J.S.C.; HON. ROSE; HON. FIRKO; PENN NATIONAL INSURANCE;
INSERVCO INSURANCE SERVICE INC; MARGOLIS EDELSTEIN

On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil Action No. 3:24-cv-09670)
District Judge: Honorable Zahid N. Quraishi

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
August 14, 2026

Before: BIBAS, CHUNG, and BOVE, *Circuit Judges*

(Opinion filed: August 24, 2026)

OPINION*

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

PER CURIAM

Pro se litigant Tony Ping Yew filed a complaint in the District Court against the Attorney General of New Jersey, a host of New Jersey state court judges, two insurance defendants, and the insurance defendants' counsel. The complaint attacked the handling and resolution of multiple cases that Yew had brought and lost in New Jersey state court. It also alleged that, in the state-court litigation, the insurance defendants (who were the defendants there, too) and their counsel had engaged in misconduct. The complaint did not seek monetary relief against the defendants; instead, Yew pointed to Federal Rule of Civil Procedure 60(b) and exclusively sought a "remand" to state court.

The defendants moved to dismiss Yew's complaint on multiple grounds. In July 2025, the District Court granted those motions, concluding that it lacked subject matter jurisdiction over the matter. *See* Dist. Ct. Order entered July 3, 2025, at 3 (stating that Yew "has provided no legal authority that he can use Rule 60(b) to challenge or seek relief/remand from a state court judgment"). Yew timely moved for reconsideration, and he also moved to recuse the presiding District Judge. In February 2026, the District Court entered an order denying both of those motions. This timely appeal followed.¹

¹ We have jurisdiction over this appeal pursuant to 28 U.S.C. § 1291. We exercise plenary review over the District Court's dismissal of Yew's complaint, *see In re Schering Plough Corp. Intron/Temodar Consumer Class Action*, 678 F.3d 235, 243 (3d Cir. 2012), and we review for abuse of discretion the District Court's denial of his motions to reconsider, *see Walker v. Coffey*, 905 F.3d 138, 143 (3d Cir. 2018), and recuse, *see United States v. Ciavarella*, 716 F.3d 705, 717 n.4 (3d Cir. 2013).

Having carefully reviewed the record and the parties' appellate briefs, we see no reason to disturb the District Court's judgment.² The District Court did not err in dismissing Yew's complaint for lack of jurisdiction. *See In re Adams*, 151 F.4th 144, 152 (3d Cir. 2025) ("[A]n action that is, or is in effect, an appeal of a state-court judgment may not be lodged in any federal court but the Supreme Court." (citing 28 U.S.C. § 1257)). Although Yew argues that he sought "remand," not "review," of state-court judgments, this distinction is immaterial because, as we recently explained in a similar appeal brought by Yew, "the relief requested effectively would reverse a state court decision." *Estate of Wei v. Att'y Gen. N.J.*, No. 25-3309, 2026 WL 1694809, at *2 (June 11, 2026) (non-precedential per curiam opinion) (quoting *Taliaferro v. Darby Twp. Zoning Bd.*, 458 F.3d 181, 192 (3d Cir. 2006)).³ Nor did the District Court err in denying Yew's motions, for he failed to show that reconsideration or recusal was warranted, *see* 28 U.S.C. §§ 144, 455 (setting forth standards of recusal); *Securacomm Consulting, Inc. v. Securacom Inc.*, 224 F.3d 273, 278 (3d Cir. 2000) ("We have repeatedly stated that a party's displeasure with legal rulings does not form an adequate basis for recusal . . ."); *Max's Seafood Cafe ex rel. Lou-Ann, Inc. v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999) (indicating that reconsideration is warranted only if the movant shows that (1) there has

² We have considered the various arguments raised by Yew in his lengthy briefing, and we conclude that none has merit.

³ Although there are circumstances in which a district court can remand a removed case to state court, the present case was originally filed in federal court. *See Levin v. Com. Energy, Inc.*, 560 U.S. 413, 428 (2010) (explaining that "federal tribunals lack authority to remand to the state court system an action initiated in federal court").

been “an intervening change in the controlling law,” (2) there is new evidence that bears on the district court’s underlying decision, or (3) there is a “need to correct a clear error of law or fact or to prevent manifest injustice”).

In view of the above, we will affirm the District Court’s judgment.