

E.D.N.Y. – C. Islip
23-cv-6507
Bulsara, J.
Shields, M.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 24th day of April, two thousand twenty-six.

Present:

Dennis Jacobs,
Barrington D. Parker,
Raymond J. Lohier, Jr.,
Circuit Judges.

Lidia M. Orrego,

Plaintiff-Appellant,

v.

25-2234 (L),
25-2431 (Con),
25-3234 (Con),
26-298 (Con)

Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, et al.,

Defendants-Appellees.

Appellant, pro se, moves for leave to proceed in forma pauperis (“IFP”) and other relief in these consolidated appeals. In 25-2234 and 25-2431, she also moves for vacatur, recusal of the district court and magistrate judges, review of all submitted evidence, scheduling of pending motions, and reversal of the temporary filing injunctions imposed in August 2025 and September 2025. She also moves to stay the filing injunctions and to expedite those appeals. In 25-2431, she also moves for a single judge to grant a stay pending appeal. In 25-3234 and 26-298, she also moves to vacate the district court’s denial of leave to proceed IFP on appeal, the dismissal order, and the denial of reconsideration.

This Court must consider its jurisdiction sua sponte. *LeChase Constr. Servs., LLC v. Argonaut Ins. Co.*, 63 F.4th 160, 167 n.4 (2d Cir. 2023). While Appellant’s prior appeals of interlocutory orders were dismissed for lack of jurisdiction, those orders underlying the appeals in 25-2234, 25-2431, and 25-3234, as well as her previously dismissed appeal in 23-7928, are now reviewable. *Gold v. N.Y. Life Ins. Co.*, 730 F.3d 137, 144 (2d Cir. 2013). However, “interlocutory decisions that did not affect the outcome should be regarded as not having merged into the final decision from which an appeal will lie.” *Hoefer v. Bd. of Educ. of the Enlarged City Sch. Dist. of Middletown*, 820 F.3d 58, 62 (2d Cir. 2016).

This Court has determined sua sponte that it has jurisdiction only over the orders imposing a filing injunction in August 2025 and September 2025 in the 25-2234 and 25-2431 appeals and an October 30, 2023 text order that struck part of Appellant’s submission for failing to comply with the court’s local rules in the 23-7928 appeal. *Id.* The Court also has jurisdiction over the January 16, 2026 dismissal order and the January 30, 2026 order denying reconsideration in the 26-298 appeal. 28 U.S.C. § 1291; *Petrello v. White*, 533 F.3d 110, 113 (2d Cir. 2008). However, this Court has determined sua sponte that it lacks jurisdiction over the orders appealed in 25-3234. *Hoefer*, 820 F.3d at 62.

Upon due consideration, it is hereby ORDERED that the IFP motions are DENIED in the 25-2234, 25-2431, and 26-298 consolidated appeals and those appeals are DISMISSED because each one “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); see 28 U.S.C. § 1915(e). It is further ORDERED that the appeal in 25-3234 is dismissed for lack of jurisdiction. It is further ORDERED that Appellant’s remaining motions in these consolidated appeals are DENIED as moot.

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court

Catherine O'Hagan Wolfe

The seal of the United States Second Circuit Court of Appeals is circular. It features a red outer ring with the words "UNITED STATES" at the top and "COURT OF APPEALS" at the bottom. Inside this ring is a blue circle with the words "SECOND CIRCUIT" in white. The seal is positioned over the signature of Catherine O'Hagan Wolfe.