NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted October 9, 2025*
Decided October 14, 2025

Before

DAVID F. HAMILTON, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

No. 24-3344

LINDA C. CHASE,
Plaintiff-Appellant,

v.

REBECCA L. FISHER and REBECCA FISHER LAW FIRM
Defendants-Appellees.

Appeal from the United States District Court for the Northern District of Indiana, Hammond Division.

No. 2:24-CV-163-TLS-APR

Theresa L. Springmann,
Judge.

O R D E R

* The appellees are not participating in this appeal. We have agreed to decide the case without oral argument because the appellant's brief and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

Linda Chase sued her attorney, Rebecca Fisher, and Fisher's Texas-based law firm in the Northern District of Indiana for breach of contract. 28 U.S.C. § 1332. The district court granted Fisher's motion to dismiss for lack of personal jurisdiction. Because Fisher and her firm lack minimum contacts with Indiana, we affirm.

In May 2019, Chase retained Fisher to represent her in administrative proceedings before the Houston District Office of the Equal Employment Opportunity Commission. At the time, Chase lived in Florida, and Fisher was licensed to practice law in Texas. In July 2020, Chase authorized Fisher to obtain records related to her employment case. Chase says Fisher never filed a Freedom of Information Act, 5 U.S.C. § 552, request to obtain those records, which breached their attorney-client representation contract. Chase adds that her employment claim was denied in March 2022. Fisher terminated the representation in May 2022.

In May 2024, after Chase moved to Indiana, she sued both Fisher and Fisher's Texas-based law firm in the Northern District of Indiana for breach of contract. Fisher moved to dismiss the complaint under Federal Rule of Civil Procedure 12(b)(2), asserting that the district court lacked personal jurisdiction. The district court granted the motion on October 24, 2024, finding that Fisher lacked any contacts with Indiana. Fisher and her business are located in Texas, Chase was a Florida resident during the contract period, and Fisher never performed any work in Indiana on Chase's case or any other case. The court entered the judgment on October 28.

On November 25, Chase sent a letter to the court addressed to the Chief Judge of the Northern District of Indiana. She explained that she was attempting to appeal the judgment and requested a refund of her filing fee. She complained that the district court unreasonably delayed ruling on Fisher's motion to dismiss and argued that the court could have transferred the case to the proper forum. The court denied relief on December 3. Chase filed a notice of appeal on December 27.

We begin, as we must, with our jurisdiction. Chase had 30 days to appeal after the entry of judgment on October 28. FED. R. APP. P. 4(a)(1)(A); *Upchurch v. O'Brien*, 111 F.4th 805, 811 (7th Cir. 2024). Chase did not seek to extend the time to appeal, so her December 27 notice of appeal would be untimely. *See Upchurch*, 111 F.4th at 811. We asked Chase whether her November 25 letter, filed within 30 days of the entry of judgment, may have affected the time to appeal. She responded that we should construe that filing as a motion to alter or amend the judgment under Federal Rule of Civil Procedure 59(e), timely filed within 28 days of the entry of judgment. *See* FED. R.

APP. P. 4(a)(4)(A)(iv); *Carlson v. CSX Transp., Inc.*, 758 F.3d 819, 825–26 (7th Cir. 2014). As a result, she argued, the December 27 notice of appeal was timely filed within 30 days of the district court's denial of relief on December 3. Whether we construe Chase's letter as a motion to reconsider, as she suggests, or as a notice of appeal, *Smith v. Barry*, 502 U.S. 244, 248 (1992), it was timely filed, so we have jurisdiction to consider the judgment dismissing the case.

On appeal, Chase first argues that the district court wrongly dismissed her complaint for lack of personal jurisdiction. She asserts that § 1332 provides jurisdiction whenever there is complete diversity between the parties. But § 1332 concerns subject-matter jurisdiction, which is only one part of the jurisdictional analysis.

The Due Process Clause of the Fourteenth Amendment authorizes personal jurisdiction over an out-of-state defendant if she has "certain minimum contacts with [the state] such that the maintenance of the suit does not offend 'traditional notions of fair play and substantial justice.'" *Int'l Shoe Co. v. Washington*, 326 U.S. 310, 316 (1945) (quoting *Milliken v. Meyer*, 311 U.S. 457, 463 (1940)). After a defendant moves to dismiss for lack of personal jurisdiction, the plaintiff must show that the defendant is either domiciled in the forum state or has "(1) purposefully directed [her] activities at the forum state or purposefully availed [herself] of the privilege of conducting business in that state, and (2) the alleged injury arises out of the defendant's forum-related activities." *Northern Grain Mktg., LLC v. Greving*, 743 F.3d 487, 492 (7th Cir. 2014) (quoting *Tamburo v. Dworkin*, 601 F.3d 693, 702 (7th Cir. 2010)).

Chase does not engage the district court's reasoning on personal jurisdiction, and we see no error. Fisher explained that she is licensed to practice law in Texas and has no contacts, advertisements, work, or presence in Indiana related to Chase or any other client. Moreover, Chase resided in Florida during the contract period, and the contract identified Texas as the location associated with the representation. The district court correctly concluded that it lacked personal jurisdiction over Fisher.

Chase next contends that the district court should have granted her motion for summary judgment before considering Fisher's motion to dismiss. But federal courts must consider jurisdiction—both subject-matter and personal—before assessing the merits of a claim. *Lance v. Coffman*, 549 U.S. 437, 439 (2007); *Ruhrgas AG v. Marathon Oil Co.*, 526 U.S. 574, 584 (1999).

Finally, Chase argues that the district court should have transferred her case instead of dismissing it. A district court lacking personal jurisdiction may transfer a case to the proper forum if it serves the "interest of justice." 28 U.S.C. § 1406(a); *see Cont'l Ins. Co. v. M/V ORSULA*, 354 F.3d 603, 608 (7th Cir. 2003). In making this assessment, the district court may consider whether dismissal would cause a claim to be time-barred in the proper forum. *See Coffey v. Van Dorn Iron Works*, 796 F.2d 217, 221 n.5 (7th Cir. 1986). We review the district court's application of the "interest of justice" standard for "a clear abuse of discretion." *See Cont'l Ins. Co.*, 354 F.3d at 608. Although the district court did not explicitly address whether transfer would be appropriate here, we see no abuse of discretion in the district court's decision to dismiss the case. The complaint did not allege exactly when the breach occurred during Fisher's years' long representation of Chase. And Chase did not say where the case should have been transferred or what statute of limitations would apply in the appropriate forum. Without these facts, the district court could not have determined whether the claim would have been time-barred if Chase had re-filed it in a different forum.

AFFIRMED