



U.S. MERIT SYSTEMS PROTECTION BOARD

Case Report for April 7, 2017

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COURT DECISIONS

NONPRECEDENTIAL:

Rodriguez v. Merit Systems Protection Board, No. [2016-2682](#) (Apr. 6, 2017) (MSPB Docket No. AT-0752-16-0065-I-1)(affirming the Board's decision that dismissed the petitioner's termination appeal for lack of jurisdiction, finding that, as a reemployed annuitant, the petitioner has no right to appeal his termination to the Board).

Jones v. Department of Health and Human Services, No. [2017-1055](#) (Apr. 6, 2017) (MSPB Docket Nos. DE-4324-15-0469-I-1, DE-4324-15-0475-I-1)(affirming the Board's decision that denied the petitioner's request for corrective action, finding that the petitioner failed to establish that his nonselections violated either the Uniformed Services Employment and Reemployment Rights Act of 1994 or the Veterans Employment Opportunities Act of 1998).

Scott v. Merit Systems Protection Board, No. [2015-3210](#) (Apr. 6, 2017) (MSPB Docket No. AT-0752-15-0097-I-1)(affirming, per Rule 36, the Board's decision that dismissed the petitioner's alleged constructive suspension appeal for lack of jurisdiction).

McDell v. Department of the Army, No. [2017-1345](#) (Apr. 6, 2017) (MSPB Docket No. DA-1221-14-0341-B-2)(affirming the Board's decision that dismissed the petitioner's individual right of action appeal as settled, finding that, because

the settlement agreement was entered into “freely and in good faith” and resolved all disputed issues, the Board did not abuse its discretion in dismissing the appeal).

Thompson v. Merit Systems Protection Board, No. [2017-1038](#) (Apr. 5, 2017) (MSPB Docket No. PH-0831-15-0076-I-2)(affirming the Board’s decision that dismissed the petitioner’s appeal for lack of jurisdiction, finding that, because the Office of Personnel Management had rescinded its final decision that formed the basis of the appeal, the Board no longer retained jurisdiction over the matter).

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