



U.S. MERIT SYSTEMS PROTECTION BOARD

Case Report for November 17, 2017

Note: These summaries are descriptions prepared by individual MSPB employees. They do not represent official summaries approved by the Board itself, and they are not intended to provide legal counsel or to be cited as legal authority. Instead, they are provided only to inform and help the public locate Board precedents.

COURT DECISIONS

NONPRECEDENTIAL:

Barry v. Department of Defense, No. [2017-2142](#) (Nov. 15, 2017) (MSPB Docket No. PH-3330-17-0056-I-1) (affirming the Board's decision that denied the petitioner's request for corrective action under the Veterans Employment Opportunities Act of 1998 and dismissed his appeal under the Uniformed Services Employment and Reemployment Rights Act of 1994 for lack of jurisdiction).

Jones v. Department of Health and Human Services, No. [2017-1624](#) (Nov. 14, 2017) (MSPB Docket No. CH-0432-13-1527-B-1) (dismissing the petitioner's petition for review of the Board's decision that sustained his removal for lack of jurisdiction because it was untimely filed).

Standley v. Merit Systems Protection Board, No. [2017-1691](#) (Nov. 13, 2017) (MSPB Docket No. DC-1221-16-0168-W-1) (affirming the Board's decision that dismissed the petitioner's individual right of action appeal for lack of jurisdiction, finding that the appellant failed to nonfrivolously allege that he made a protected disclosure under 5 U.S.C. § 2302(b)(8) or engaged in protected activity under 5 U.S.C. § 2302(b)(9)(D)).

Standley v. Merit Systems Protection Board, No. [2017-2082](#) (Nov. 13, 2017) (MSPB Docket No. DC-1221-17-0091-W-1) (affirming the Board's decision that

dismissed the petitioner's individual right of action appeal for lack of jurisdiction, finding that the appellant failed to exhaust his administrative remedies as to certain claims and failed to nonfrivolously allege that he made a protected disclosure under 5 U.S.C. § 2302(b)(8) as to the remaining claim).

Scott v. Department of State, No. [2017-1203](#) (Nov. 13, 2017) (MSPB Docket No. DA-0752-14-0618-I-1) (affirming, per Rule 36, the Board's decision that sustained the petitioner's removal).

Bowe-Connor v. Department of Veterans Affairs, No. [2017-2011](#) (Nov. 13, 2017) (MSPB Docket No. DC-0752-13-0668-I-1) (affirming the Board's decision that sustained the petitioner's removal based on charges of causing delay in patients receiving medications, conduct unbecoming, and disrespectful conduct).

[MSPB](#) | [Case Reports](#) | [Recent Decisions](#) | [Follow us on Twitter](#) | [MSPB Listserv](#)