



U.S. MERIT SYSTEMS PROTECTION BOARD

Case Report for July 13, 2018

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COURT DECISIONS

NONPRECEDENTIAL:

Searcy v. Merit Systems Protection Board, No. [2018-1370](#) (Fed. Cir. July 10, 2018) (MSPB Docket No. AT-4324-12-0759-C-1): The court affirmed the administrative judge's decision that dismissed the petitioner's Petition for Enforcement and/or Motion for Corrected Judgment for lack of jurisdiction. The court found that a petitioner cannot use the Board's enforcement authority to overturn or otherwise challenge the merits of prior Board decisions and that, because the Board did not issue an order in the petitioner's favor here, there is no order to enforce. The court also rejected the petitioner's argument that the Board was required to reopen its previous decisions under *McCarthy v. Merit Systems Protection Board*, 809 F.3d 1365 (Fed. Cir. 2016).

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