

UNITED STATES OF AMERICA  
MERIT SYSTEMS PROTECTION BOARD

ALLYSON C. CARSON,  
Appellant,

v.

UNITED STATES POSTAL SERVICE,  
Agency.

DOCKET NUMBER  
AT0752900696-X-1<sup>1</sup>

DATE: OCT 30 1992

Allyson C. Carson, Orlando, FL, pro se.

John A. Rossi, Orlando, FL, for the agency.

BEFORE

Daniel R. Levinson, Chairman  
Antonio C. Amador, Vice Chairman  
Jessica L. Parks, Member

ORDER

On April 12, 1992, the appellant filed a petition for enforcement contending that the agency failed to comply with the terms of a settlement agreement between the parties. Specifically, the appellant contended that the agency failed to return him to duty as required by the agreement. In a Recommendation issued on June 3, 1992, the administrative judge found that the agency must return the appellant to duty effective March 9, 1992, and pay the appellant back pay to that date with interest and benefits, to be in

\* The docket number below was AT0752900696-C-

compliance with the settlement agreement. That decision required the agency to submit either evidence of compliance with the order or argument as to why the agency would not comply with the order. The Recommendation granted the appellant 20 days to respond to the agency's evidence of compliance.

The agency has filed evidence showing that it returned the appellant to duty on June 6, 1992, that it issued to the appellant a check for back pay for the period of March 9, 1992, through June 5, 1992, on September 8, 1992, and that it issued a check for interest on the back pay award on September 11, 1992. The appellant has not responded.

We find that the agency has complied with the Recommendation. Accordingly, we hereby DISMISS this enforcement action as moot.

#### NOTICE TO APPELLANT

You have the right to request the United States Court of Appeals for the Federal Circuit to review the Board's final decision in this proceeding if the court has jurisdiction. See 5 U.S.C. § 7703(a)(1). You must submit your request to the court at the following address:

United States Court of Appeals  
for the Federal Circuit  
717 Madison Place, N.W.  
Washington, DC 20439

The court must receive your request for review no later than 30 calendar days after receipt of this order by your

representative, if you have one, or receipt by you personally, whichever receipt is first. See 5 U.S.C. § 7703(b)(1).

FOR THE BOARD:

  
Robert E. Taylor  
Clerk of the Board

Washington, D.C.