

PART 1 - Appellant and Agency Information

Everyone must complete Part 1.

Please type or print legibly.

1. Name (last, first, middle)

Last Grace

First Desiree

M. Initial

Please list your first name as it appears in your official personnel records. For example, if your first name is "William" on your official personnel records, please list it that way on the appeal form, not "Bill" or "Willy."

2. Present address (number and street, city, State, and Zip code)

You must promptly notify the Board in writing of any change in your mailing address while your appeal is pending.

Address: (b)(6)

City: (b)(6)

State: (b)(6)

Zip Code: (b)(6)

3. Telephone Numbers (include area code) and E-Mail Address

You must promptly notify the Board in writing of any change in your telephone number(s) or e-mail address while your appeal is pending.

Home:

Work:

Fax:

Cell:

(b)(6)

e-Mail Address:

(b)(6)

@gmail.com

4. Name and address of the agency that took the action or made the decision you are appealing (include bureau or division, street address, city, State and Zip code)

Agency Name: Department of Justice

Bureau: Executive Office for U.S. Attorneys and the Office of the U.S. Attorneys

Address: 970 Broad Street

City: Newark

State: New Jersey

Zip Code: 07102

Phone Number:

5. Your Federal employment status at the time of the action or decision you are appealing:

- ☒ Permanent ☐ Temporary ☐ Term
☐ Seasonal ☐ Applicant ☐ Retired
☐ None

6. Type of appointment (if applicable):

- ☒ Competitive ☐ Excepted
☐ Postal Service ☐ SES
☐ Other (describe):

7. Your position, title, grade, and duty station at the time of the action or decision you are appealing (if applicable):

Occupational Series or Cluster:

Position Title: Assistant U.S. Attorney

Grade or Pay Band: AD-0905-29

Duty Station: Newark, New Jersey

8. Are you entitled to veteran's preference?

See [5 U.S.C. § 2108](#).

(b)(6) Yes

(b)(6) No

9. Length of Federal service (if applicable):

Years

Months

10. Were you serving a probationary, trial, or initial service period at the time of the action or decision you are appealing?

Yes

☒ No

11. **HEARING:** You may have a right to a hearing before an administrative judge. If you elect not to have a hearing, the administrative judge will make a decision on the basis of the submissions of the parties. Do you want a hearing?

☒ Yes

☐ No

Appeal Number: 2025A024401

Submission Date: Jul 29 2025 2:52PM

Confirmation Number: 10020660

MSPB Form 185, Page 2 (5/13)
5 C.F.R. Parts 1201, 1208, and 1209

FOIA000001 of 6

PART 2 - Agency Personnel Action or Decision (non-retirement)

Complete this part if you are appealing a Federal agency personnel action or decision other than a decision directly addressing your retirement rights or benefits. This includes certain actions that might not otherwise be appealable to the Board: individual right of action (IRA) appeals under the Whistleblower Protection Act (WPA); appeals under the Uniformed Services Employment and Reemployment Rights Act (USERRA); or appeals under the Veterans Employment Opportunities Act (VEOA). An explanation of these three types of appeals is provided in **Appendix A**.

12. Check the box that best describes the agency **personnel action or decision** you are appealing. (If you are appealing more than one action or decision, check each box that applies.)

☐ VA SES Removal from civil service

☐ VA SES Transfer to general schedule

☒ Removal (termination after completion of probationary or initial service period)

☐ Involuntary resignation

☐ Termination during probationary or initial service period

☐ Involuntary retirement

☐ Reduction in grade, pay, or band

☐ Denial of within-grade increase

☐ Suspension for more than 14 days

☐ Furlough of 30 days or less

☐ Failure to restore/reemploy/reinstate or improper restoration/reemployment/reinstatement

☐ Separation, demotion or furlough for more than 30 days by reduction in force (RIF)

☐ Negative suitability determination

☐ Other action (describe):

13. Date you received the agency's final decision letter (if any) (MM/DD/YYYY):

07/22/2025

14. Effective date (if any) of the agency action or decision (MM/DD/YYYY):

07/22/2025

15. Prior to filing this appeal, did you and the agency mutually agree in writing to try to resolve the matter through an alternative dispute resolution (ADR) process?

☐ Yes (**attach a copy of the agreement**)

☒ No

16. Explain briefly why you think the agency was wrong in taking this action, including whether you believe the agency engaged in harmful procedural error, committed a prohibited personnel practice, or engaged in one of the other claims listed in **Appendix A**. **Attach the agency's proposal letter, decision letter, and SF-50, if available.** Attach additional sheets if necessary (bearing in mind that there will be later opportunities to supplement your filings).

My termination was completely unjustified and was in direct retaliation for the District Court appointing me as U.S. Attorney pursuant to 28 U.S.C. 546. I have received Outstanding reviews, and I have been promoted numerous times on merit.

PART 2 - Agency Personnel Action or Decision (non-retirement) (continued)

17. With respect to the agency personnel action or decision you are appealing, have you, or has anyone on your behalf, filed a grievance under a negotiated grievance procedure provided by a collective bargaining agreement?

☐ Yes ☒ No

If "Yes," **attach a copy of the grievance**, enter the date it was filed, and enter the place where it was filed if different from your answer to question 4 in Part 1.

Agency Name: NOT APPLICABLE

Date Filed (MM/DD/YYYY): NOT APPLICABLE

Bureau: NOT APPLICABLE

Address: NOT APPLICABLE

City: NOT APPLICABLE

State: NOT APPLICABLE

Zip Code: NOT APPLICABLE

If a decision on the grievance has been issued, **attach a copy of the decision** and enter the date it was issued (MM/DD/YYYY):

Date Issued (MM/DD/YYYY): NOT APPLICABLE

Answer Question 18 ONLY if you are filing an IRA appeal.

18. If you filed a whistleblowing complaint with the Office of Special Counsel (OSC), provide the date on which you did so and the date on which OSC made a decision or terminated its investigation, if applicable. **Attach copies of your complaint and OSC's termination of investigation letter**, notifying you of your right to seek corrective action from the Board.

Date Filed (MM/DD/YYYY): NOT APPLICABLE

Date of OSC decision or termination of investigation (MM/DD/YYYY): NOT APPLICABLE

Answer Question 19 ONLY if you are filing a USERRA or VEOA appeal.

19. If you filed a complaint with the Department of Labor (DOL), list the date on which you did so, and **attach a copy of your complaint**. If DOL has made a decision on your complaint, list the date of this decision, and **attach a copy of it**. If DOL has not made a decision on your complaint within 60 days from the date you filed it, state whether you have notified DOL of your intent to file an appeal with the Board, and **attach a copy of such notification**.

Date Filed (MM/DD/YYYY): NOT APPLICABLE

Has DOL made a decision on your complaint?

☐ Yes ☐ No

If "Yes," enter the date it was made. If "No", state whether you have notified DOL of your intent to file an appeal with the Board, and **attach a copy of such notification**.

Date of DOL decision (MM/DD/YYYY): NOT APPLICABLE

☐ Notified DOL of your intent to file an appeal with the Board?

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MSPB Form 185, Page 4 (5/13)
5 C.F.R. Parts 1201, 1208, and 1209

Page 9 of 6

PART 5 - Certification

27. I certify that all of the statements made in this form and any attachments are true, complete, and correct to the best of my knowledge and belief.

Desiree Grace

07/29/2025

Signature of Appellant or Representative

Date (MM/DD/YYYY)

Privacy Act Statement

This form requests personal information that is relevant and necessary to reach a decision in your appeal. The Merit Systems Protection Board collects this information in order to process appeals under its statutory and regulatory authority. Because your appeal is a voluntary action, you are not required to provide any personal information to the Merit Systems Protection Board in connection with your appeal. Conceivably, failure to provide all information essential to reaching a decision in your case could result in the dismissal or denial of your appeal.

Decisions of the Merit Systems Protection Board are available to the public under the provisions of the Freedom of Information Act and are posted to the Merit Systems Protection Board's public website. Some information about the appeal also is used in depersonalized form for statistical purposes. Finally, information from your appeal file may be disclosed as required by law under the provisions of the Freedom of Information Act and the Privacy Act.

See 5 U.S.C. §§ 552, 552a.

Public Reporting Burden

The public reporting burden for this collection of information is estimated to vary from 20 minutes to 4 hours, with an average of 60 minutes per response, including time for reviewing the form, searching existing data sources, gathering the data necessary, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Office of the Clerk of the Board, Merit Systems Protection Board, 1615 M Street, N.W., Washington, DC 20419 or by e-mail to mspb@mspb.gov.

U.S. Merit Systems Protection Board

Appeal Attachment List

Appeal Number: 2025A024401
Appellant Name: Desiree Grace
MSPB Office of Filing: Department of Justice

Attachments Included with e-filed Appeal		
Name of Attachment		File Name
	(b)(6)	

Attachments To Be Sent Separately by Hard Copy Submission	
Name of Attachment	Submission Method

All hard copy attachments should be submitted with the transmittal sheet below so they can be properly affiliated with the appeal by MSPB.

Referred To DOJ

**UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD
WASHINGTON REGIONAL OFFICE**

DESIREE GRACE,
Appellant,

DOCKET NUMBER
DC-0752-25-3347-I-1

v.

DEPARTMENT OF JUSTICE,
Agency.

DATE: July 30, 2025

ACKNOWLEDGMENT NOTICE

This notice acknowledges receipt of the above-captioned appeal. Due to the potential for receipt of appeals from the same agency with the same or similar issues, this appeal may be considered as part of a consolidation. *See* 5 C.F.R. § 1201.36. The parties are informed that they will be contacted with instructions concerning the adjudication of this appeal once the Board confirms the composition of any consolidation. **Parties should not contact this office at this time.**

Detailed information on the procedures that will apply when this case is reached for adjudication is in the Board's regulations at 5 C.F.R. part 1201, which may be accessed in law libraries, some large public libraries, and at the Board's website (<http://www.mspb.gov>). Note that an Administrative Judge may waive any regulation not required by law.

MANDATORY E-FILING

The Board requires all pleadings filed by agency representatives and attorneys who represent appellants in Board proceedings to be electronically filed (e-filed) using the Board's e-Appeal system at <https://e-appeal.mspb.gov/>. This requirement applies to all pleadings in all adjudicatory proceedings before the Board unless specifically excluded by 5 C.F.R. § 1201.14(d). Agency

representatives and attorneys representing appellants in Board proceedings must register with e-Appeal as e-filers. For additional instructions on e-filing, visit the e-Appeal Information Hub (<https://www.mspb.gov/e-appeal/index.htm>) and review the Board's regulations at 5 C.F.R. § 1201.14. The Board strongly encourages all parties to register as e-filers to assure quicker and more efficient service of all pleadings and orders. The parties may register on the Board's e-Appeal site (<https://e-appeal.mspb.gov>). A designation of representative form can also be found on the Board's website and must be submitted by any represented party.

Jeremiah Cassidy

FOR THE BOARD:

Jeremiah Cassidy
Chief Administrative Judge
Washington Regional Office
1901 S. Bell Street, Suite 950
Arlington, VA 22202
Phone: (703) 756-6250
Fax: (703) 756-7112
V/TDD

CERTIFICATE OF SERVICE

I certify that the attached Document(s) was (were) sent as indicated this day to each of the following:

Appellant

Electronic Service Desiree Grace
Served on email address registered with MSPB

Agency Representative

Electronic Service Neil White
Served on email address registered with MSPB

07/30/2025

(Date)

Jeremy Meyers

Jeremy Meyers
Supervisory Paralegal Specialist