

NOTE: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record.

## United States Court of Appeals for the Federal Circuit

04-3451

JEAN B. GARDNER,

Petitioner,

v.

UNITED STATES POSTAL SERVICE,

Respondent.

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DECIDED: April 6, 2005

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Before MICHEL, Chief Judge, MAYER, and DYK, Circuit Judges.

PER CURIAM.

Jean B. Gardner appeals the decision of the Merit Systems Protection Board, which found that the United States Postal Service had fully reimbursed the State of Florida for unemployment payments made to Gardner. Gardner v. United States Postal Serv., AT0752010857-C-3 (MSPB June 28, 2004). We affirm.

On appeal, Gardner claims that the Postal Service has failed to: (1) reinstate her pursuant to a January 15, 2002, decision of the board; (2) pay her the full sum of back-pay ordered by the board; and (3) reimburse the State of Florida for unemployment payments made to Gardner between April 2001 and January 2002. Because the board

previously addressed the first two issues in decisions not appealed by Gardner, we do not address them. See Pinat v. Office of Pers. Mgt., 931 F.2d 1544, 1546 (Fed. Cir. 1991). As to Gardner's third claim, the board's finding that the Postal Service reimbursed the State of Florida the amount of \$7,150 was based on documentation that the Postal Service made payments of \$3,850 and \$3,300 on October 5, 2001, and January 17, 2002, respectively. Accordingly, we conclude that this finding is supported by substantial evidence. See 5 U.S.C. § 7703(c) (2000).