

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2007-3236

TREVA R. WOODS,

Petitioner,

v.

UNITED STATES POSTAL SERVICE,

Respondent.

Treva R. Woods, of Memphis, Tennessee, pro se.

Steven M. Mager, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, for respondent. With him on the brief were Peter D. Keisler, Acting Attorney General, Jeanne E. Davidson, Director, and Franklin E. White, Jr., Assistant Director.

Appealed from: United States Merit Systems Protection Board

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DECIDED: November 13, 2007

Before MAYER, DYK and PROST, Circuit Judges.

PER CURIAM.

Treva R. Woods appeals the decision of the Merit Systems Protection Board dismissing her appeal. Treva R. Woods v. U.S. Postal Serv., AT-0752-07-0160-I-1 (MSPB Feb. 13, 2007). We affirm.

This court may only reverse the board's decision if it is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; obtained without procedures required by law, rule or regulation; or unsupported by substantial evidence. See 5 U.S.C. § 7703(c). We find no error in the board's dismissal of Woods' appeal because, in a submission dated February 12, 2007, she voluntarily withdrew her appeal

from the board. We conclude, moreover, that Woods has failed to establish the existence of new or material evidence sufficient to justify the reopening of her appeal.