

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

ANNA ROYER,
Petitioner

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent

2023-2240

Petition for review of the Merit Systems Protection Board in No. DC-0752-20-0245-I-1.

Before DYK, BRYSON, and TARANTO, *Circuit Judges*.

PER CURIAM.

O R D E R

Because Anna Royer pursued discrimination claims before the Merit Systems Protection Board and stated that she does not wish to abandon those claims on judicial review, the court directed the parties to show cause why this case should not be transferred to a United States district court. The Board argues that this is a “mixed case” and urges transfer. Ms. Royer has not responded to the court’s order, though she did file her opening brief asserting

“harassment (sexual) from employees & managers,” ECF No. 10 at 2.

“Cases of discrimination subject to the provisions of [5 U.S.C.] § 7702,” belong in district court. 5 U.S.C. § 7703(b)(2); *Perry v. Merit Sys. Prot. Bd.*, 582 U.S. 420, 432 (2017). Because this case meets the criteria of a case of discrimination, we transfer pursuant to 28 U.S.C. § 1631 to the United States District Court for the District of Columbia, where the employment action occurred.

Accordingly,

IT IS ORDERED THAT:

Pursuant to 28 U.S.C. § 1631, this case and all transmittals are transferred to the United States District Court for the District of Columbia.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

January 25, 2024
Date