

NOTE: This order is nonprecedential.

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

MICHAEL ANTONIOU,
Petitioner

v.

UNITED STATES POSTAL SERVICE,
Respondent

2023-2385

Petition for review of No. 4G19N-4G-D-2333 8774.

Before LOURIE, PROST, and STOLL, *Circuit Judges*.

PER CURIAM.

O R D E R

In response to this court's October 25, 2023, order directing the parties to show cause regarding our jurisdiction, the United States Postal Service urges dismissal. Michael Antoniou has not filed a response.

Mr. Antoniou's union filed a grievance challenging his notice of removal as a letter carrier with the United States Postal Service. On August 4, 2023, a dispute resolution team concluded that Mr. Antoniou's removal would be sustained unless he voluntarily resigned. Mr. Antoniou then

filed a petition for review with this court, challenging that August 4, 2023, decision.

This court's jurisdiction is limited. Although the court has jurisdiction over "an appeal from a final order or final decision of the Merit Systems Protection Board," 28 U.S.C. § 1295(a)(9), and to "review . . . arbitration awards under a negotiated grievance procedure pursuant to [5 U.S.C. §] 7121(a)," *Burke v. USPS*, 888 F.2d 833, 834 (Fed. Cir. 1989) (citing § 7121(f)), Mr. Antoniou acknowledges that the "case never went to MSPB or Arbitration," ECF No. 6 at 3. Rather, this is a direct appeal from a USPS dispute resolution team's decision. Such appeals are outside our authority to directly review.

Accordingly,

IT IS ORDERED THAT:

- (1) This matter is dismissed.
- (2) Each party shall bear its own costs.
- (3) All pending motions are denied.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

January 25, 2024
Date