

NOTE: This order is nonprecedential.

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

KRYSTLE M. TILFORD,
Petitioner

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent

2025-1682

Petition for review of the Merit Systems Protection Board in No. NY-0752-24-0009-I-1.

Before LOURIE and HUGHES, *Circuit Judges*, and KLEEh,
Chief District Judge.[†]

PER CURIAM.

O R D E R

Krystle M. Tilford petitions for review of a final decision of the Merit Systems Protection Board dismissing the appeal of her removal from the United States Postal Service. Ms. Tilford alleged her removal was the result of prohibited discrimination based on her requests for reasonable

[†] Honorable Thomas S. Kleeh, Chief District Judge, United States District Court for the Northern District of West Virginia, sitting by designation.

accommodations related to a medical condition and her status as a caregiver to a child with autism. In her “Statement Concerning Discrimination” filed with this court, Ms. Tilford certified she did “not wish to abandon [her] discrimination claims.” Dkt. No. 5 at 1, 3. The government argues that, without a waiver of her discrimination claims, we lack jurisdiction over Ms. Tilford’s arguments. As such, the government requests we transfer the appeal to the Southern District of New York.

Federal district courts, not this court, have jurisdiction over mixed-case appeals, or appeals “filed with the [Board] that allege[] that an appealable agency action was effected, in whole or in part, because of discrimination on the basis of race; color; religion; sex; national origin; disability; age; genetic information; or pregnancy, childbirth, or related medical conditions.” 29 C.F.R. § 1614.302(a)(2); *see Perry v. Merit Sys. Prot. Bd.*, 582 U.S. 420, 437 (2017). Because Ms. Tilford argues her removal was based on unlawful discrimination, we transfer pursuant to 28 U.S.C. § 1631 to the United States District Court for the Southern District of New York, where the employment action occurred.

Accordingly,

IT IS ORDERED THAT:

This matter and all case filings are transferred to the United States District Court for the Southern District of New York pursuant to 28 U.S.C. § 1631.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

February 9, 2026
Date