

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

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**In Re THERESA GARNER,**  
*Petitioner*

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2026-122

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On Petition for Writ of Mandamus to the United States Court of Federal Claims in No. 1:24-cv-00795-PSH, Judge Philip S. Hadji.

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## ON PETITION AND MOTION

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Before TARANTO, MAYER, and STARK, *Circuit Judges*.

PER CURIAM.

## O R D E R

In December 2025, this court affirmed the judgment of the United States Court of Federal Claims dismissing Theresa Garner's complaint related to her retirement benefits. She now petitions for a writ of mandamus directing the Office of Personnel Management to take various actions, including correcting records and entitling her to a certain annuity multiplier and credits towards times served.

A writ of mandamus is an extraordinary remedy and may only issue if petitioner has shown a clear and indisputable right to relief and that there are no other adequate

means to attain the relief desired. *See Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004). Ms. Garner has not satisfied either of those requirements here. As we recently informed Ms. Garner, the Merit Systems Protection Board has exclusive review of OPM retirement decisions, *Garner v. United States*, No. 2025-1398 (Fed. Cir. Dec. 9, 2025) (slip op. at 3). She has not shown that the normal appeals process for such decisions (through the Board and then through this court) is an inadequate remedy.

Accordingly,

IT IS ORDERED THAT:

- (1) The petition for mandamus is denied.
- (2) All pending motions are denied.

FOR THE COURT



February 13, 2026  
Date

Jarrett B. Perlow  
Clerk of Court