

NOTE: This order is nonprecedential.

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

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**GLORIA R. SHACKLEFORD,**  
*Petitioner*

v.

**OFFICE OF PERSONNEL MANAGEMENT,**  
*Respondent*

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2024-1646

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Petition for review of the Merit Systems Protection Board in No. AT-844E-17-0640-I-2.

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Before REYNA, LINN, and STOLL, *Circuit Judges*.

PER CURIAM.

**O R D E R**

Gloria R. Shackelford seeks review of the final decision of the Merit Systems Protection Board affirming the Office of Personnel Management's denial of disability retirement benefits and rejecting her arguments that the denial was due to discrimination on the basis of, inter alia, religion, age, and retaliation for prior equal employment opportunity activity. In response to this court's June 14, 2024 show cause order, OPM urges transfer or dismissal. Ms. Shackelford has not responded.

Federal district courts, not this court, have jurisdiction over “[c]ases of discrimination subject to the provisions of [5 U.S.C. §] 7702,” 5 U.S.C. § 7703(b)(2), involving an allegation of an action appealable to the Board and an allegation that a basis for the action was covered discrimination. § 7702; *Perry v. Merit Sys. Prot. Bd.*, 582 U.S. 420, 437 (2017). Because Ms. Shackelford asserted discrimination before the Board and wishes to continue to pursue those claims, we transfer to the United States District Court for the Western District of Texas, where it appears Ms. Shackelford’s relevant employment records may be maintained. *See* 42 U.S.C. § 2000e-5(f)(3); 28 U.S.C. § 1631.

Accordingly,

IT IS ORDERED THAT:

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

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

December 11, 2024  
Date