

NOTE: This order is nonprecedential.

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

GRETA D. CRAWFORD,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent.

2012-3206

Petition for review of the Merit Systems Protection Board in No. DE315H110384-I-1.

ON MOTION

PER CURIAM.

ORDER

Greta D. Crawford moves for her petition for review to be transferred to the district court in light of *Kloeckner v. Solis*, 133 S. Ct. 596 (2012). The Merit System Protection Board responds. Crawford replies.

This case is unlike *Kloeckner* because Crawford's appeal was dismissed by the Board for lack of jurisdiction.

This court has explained that it maintains jurisdiction “to review a Board determination that an employee’s case is not appealable to the Board, regardless of whether the employee sought to raise claims of agency discrimination.” *Conforto v. Merit Sys. Prot. Bd.*, 713 F.3d 1111, 1118 (Fed. Cir. 2013). Thus, jurisdiction lies with this court.

Crawford also again requests that she be permitted to submit a non-conforming informal brief.

Upon consideration thereof,

IT IS ORDERED THAT:

1) The motion to transfer is denied.

2) The motion to file a nonconforming brief is denied. Crawford must submit a corrected brief prepared on Federal Circuit Form 11 (form enclosed) within 28 days of the date of this order. The Board should calculate its due date from the date of filing of the petitioner’s brief when it is filed on the required form. If Crawford does not file a corrected brief by that date, her petition will be dismissed.

FOR THE COURT

/s/ Daniel E. O’Toole
Daniel E. O’Toole
Clerk