

NOTE: This order is nonprecedential.

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

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**PAMELA R. JONES,**  
*Petitioner,*

**v.**

**DEPARTMENT OF THE ARMY,**  
*Respondent.*

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2013-3169

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Petition for review of the Merit Systems Protection Board in No. DA0752120521-I-1.

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**O R D E R**

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Upon review of this recently docketed appeal, it appears that Pamela R. Jones' appeal was not timely filed.

On May 30, 2013, the Merit Systems Protection Board (Board) issued a final order dismissing her case for lack of jurisdiction. The court received her notice of appeal on July 31, 2013; 62 days after the Board issued its decision.

Our review of a Board decision or order is governed by 5 U.S.C. § 7703(b)(1), which provides in relevant part that "[n]otwithstanding any other provision of law, any petition for review shall be filed within 60 days after the

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Board issues notice of the final order or decision of the Board.” 5 U.S.C. § 7703(b)(1)(A). This filing period is “statutory, mandatory, [and] jurisdictional.” *Monzo v. Dep’t of Transp.*, 735 F.2d 1335, 1336 (Fed. Cir. 1984); *see also Bowles v. Russell*, 551 U.S. 205 (2007) (the timely filing of a notice of appeal in a civil case is a jurisdictional requirement that cannot be waived).

Accordingly,

IT IS ORDERED THAT:

- (1) Jones is directed to show cause, within 21 days of the date of filing of this order, why this appeal should not be dismissed as untimely. The Department of the Army may also respond within that time.
- (2) The briefing schedule is stayed.

FOR THE COURT

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

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