

NOTE: This order is nonprecedential.

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

WILSON H. ESTRADA,
Petitioner

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent

2024-2111

Petition for review of the Merit Systems Protection Board in No. AT-0752-19-0239-I-1.

ON MOTION

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

PER CURIAM.

ORDER

Wilson H. Estrada seeks review of the Merit Systems Protection Board's decision dismissing his removal appeal alleging discrimination. In response to this court's show cause order, the Board urges transfer to district court. Mr. Estrada 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 Mr. Estrada asserted discrimination claims before the Board and wishes to continue to pursue those claims on judicial review, we agree with the Board that transfer to the United States District Court for the Southern District of Florida, where the employment action appears to have occurred, is appropriate. *See* 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 Southern District of Florida pursuant to 28 U.S.C. § 1631.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

December 10, 2024
Date