

APPENDIX A-1

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

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HENRY E. GOSSAGE, Petitioner

v.

MERIT SYSTEMS PROTECTION BOARD, Respondent

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2020-2171

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Petition for review of the Merit Systems Protection Board  
in No. SE-0731-01-0261I-2.

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PER CURIAM.

**O R D E R**

The court dismisses this petition after consideration of the parties' responses to the court's show cause order. The court received petitions from Henry E. Gossage identifying: (1) Office of Personnel Management (OPM) Case 01-904-277; and (2) a November 27, 2019 letter from the Clerk of the Merit Systems Protection Board regarding SE-0731-01-0261-I-2 and SE-0731-01-0261-I-5 explaining to Mr. Gossage that he had no further right to review in those matters.

The court does not have jurisdiction over these matters. This court does not have authority to directly review a decision by OPM. See *In re McAfee*, 65 F. App'x 292 (Fed. Cir. 2003). Moreover, although this court has jurisdiction to review

decisions of the Board, see 28 U.S.C. § 1295(a)(9), the Clerk of the Board's letter is nothing more than an administrative response to a repetitive request to reconsider a matter like those that this court has previously informed Mr. Gossage it lacks jurisdiction to review. See, e.g., *Gossage v. Merit Sys. Prot. Bd.*, No. 2018-1970, slip op. at 2–3 (Fed. Cir. Oct. 3, 2018) (citing *Haines v. Merit Sys. Prot. Bd.*, 44 F.3d 998, 1000 (Fed. Cir. 1995)). The court notes that this is now the fifth dismissal in four months of Mr. Gossage's attempts to dispute or reopen cases associated with SE-0731-01-0261-I-2 and SE-0731-01-0261-I-5. See *Gossage v. Off. of Pers. Mgmt.*, No. 2020-2178 (Fed. Cir. Oct. 20, 2020); *Gossage v. Off. of Pers. Mgmt.*, No. 2020-2194 (Fed. Cir. Oct. 20, 2020); *Gossage v. Off. of Pers. Mgmt.*, No. 2020-2195 (Fed. Cir. Oct. 20, 2020); *Gossage v. Off. of Pers. Mgmt.*, No. 2021-1026 (Fed. Cir. Dec. 18, 2020).

Any future filing pertaining to these matters will likely result in a filing injunction or sanctions.

Accordingly,

IT IS ORDERED THAT:

- (1) The petition is dismissed.
- (2) All pending motions are denied as moot.

FOR THE COURT

/s/ Peter R. Marksteiner

February 18, 2021  
Date