

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 23-1332**

---

JULIAN R. ASH,

Plaintiff - Appellant,

v.

OFFICE OF PERSONNEL MANAGEMENT; MERIT SYSTEMS PROTECTION BOARD; FEDERAL AVIATION ADMINISTRATION; UNITED STATES DEPARTMENT OF LABOR OFFICE OF WORKERS' COMPENSATION PROGRAMS,

Defendants - Appellees.

---

Appeal from the United States District Court for the District of Maryland, at Baltimore. George L. Russell, III, District Judge. (1:22-cv-00649-GLR)

---

Submitted: June 22, 2023

Decided: June 26, 2023

---

Before HARRIS and HEYTENS, Circuit Judges, and TRAXLER, Senior Circuit Judge.

---

Dismissed by unpublished per curiam opinion.

---

Julian R. Ash, Appellant Pro Se. Ariana Wright Arnold, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Julian R. Ash seeks to appeal the district court's order entering a briefing schedule related to his petition for review of a Merit Systems Protection Board (MSPB) decision. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). The order Ash seeks to appeal is neither a final order nor an appealable interlocutory or collateral order.\* Accordingly, we grant Appellees' motion to dismiss the appeal for lack of jurisdiction. We deny Ash's motion for a stay pending appeal, but grant his motions to amend his filings. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*DISMISSED*

---

\* To the extent Ash asks us to construe his notice of appeal as a petition for review, we lack jurisdiction to directly review the MSPB's decision. *See Perry v. MSPB*, 582 U.S. 420, 431-32 (2017).