

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

---

No. 08-1979

---

|                                      |                                 |
|--------------------------------------|---------------------------------|
| William D. Jones,                    | *                               |
|                                      | *                               |
| Appellant,                           | *                               |
|                                      | * Appeal from the United States |
| v.                                   | * District Court for the        |
|                                      | * District of Nebraska.         |
| U.S. Merit Systems Protection Board, | *                               |
|                                      | * [UNPUBLISHED]                 |
| Appellee.                            | *                               |

---

Submitted: May 6, 2009  
Filed: May 11, 2009

---

Before BYE, COLLOTON, and GRUENDER, Circuit Judges.

---

PER CURIAM.

After the district court<sup>1</sup> dismissed William Jones's complaint against the United States Merit Systems Protection Board for lack of subject matter jurisdiction, he brought this appeal. We agree with the district court that it lacked subject matter jurisdiction for the reasons explained in the court's thorough memorandum opinion and order, and we conclude that in these circumstances, the district court did not abuse its discretion in declining to transfer the action to the United States Court of Appeals for the Federal Circuit. See LeMay v. U.S. Postal Serv., 450 F.3d 797, 799 (8th Cir.

---

<sup>1</sup>The Honorable Laurie Smith Camp, United States District Judge for the District of Nebraska.

2006) (dismissal for lack of subject matter jurisdiction reviewed de novo); United States v. Hull, 419 F.3d 762, 768 (8th Cir. 2005) (refusal to transfer reviewed for abuse of discretion).

Accordingly, we affirm. See 8th Cir. R. 47B.

---