

NOTE: This order is nonprecedential.

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

PAMELA R. JONES,
Petitioner,

v.

DEPARTMENT OF THE ARMY,
Respondent.

2013-3169

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

Before RADER, *Chief Judge*, LOURIE and TARANTO,
Circuit Judges.

PER CURIAM.

O R D E R

The court considers whether this appeal should be dismissed for lack of jurisdiction.

On May 30, 2013, the Merit Systems Protection Board (Board) issued its final order dismissing Pamela R. Jones' case for lack of jurisdiction. The Board's decisions note that Jones signed up to receive documents by electronic mail. The court received her petition for review on July

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31, 2013; 62 days after Jones was deemed to receive the Board's decision. *See* 5 C.F.R. § 1201.14(m)(2).

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 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). Because Jones’ appeal as to the underlying judgment was filed outside of the statutory deadline for taking an appeal to this court, we must dismiss the appeal.

Accordingly,

IT IS ORDERED THAT:

- (1) The appeal is dismissed.
- (2) Each side shall bear its own costs.

FOR THE COURT

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