

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-2053

MICHELLE L. STEFANICK,

Petitioner,

v.

U.S. MERIT SYSTEMS PROTECTION BOARD,

Respondent.

On Petition for Review of an Order of the Merit Systems
Protection Board. (DC-1221-14-0959-W-1)

Submitted: February 29, 2016

Decided: March 17, 2016

Before KING, AGEE, and FLOYD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Michelle L. Stefanick, Petitioner Pro Se. Bryan G. Polisuk,
General Counsel, Jeffrey Gauger, Office of the General Counsel,
MERIT SYSTEMS PROTECTION BOARD, Washington, D.C., for
Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michelle L. Stefanick seeks review of the Merit Systems Protection Board's order dismissing as untimely her whistleblower retaliation appeal. Our review of the record reveals that the MSPB did not err in concluding that Stefanick's appeal was untimely filed and that equitable tolling was not warranted. Accordingly, we deny the petition for review for the reasons stated by the MSPB. Stefanick v. Dep't of State, No. DC-1221-14-0959-W-1 (M.S.P.B. July 31, 2015).

We grant the Department of State's motion to amend the caption, leaving the MSPB as the sole respondent. See 5 U.S.C. § 7703(a)(2) (2012). We deny Stefanick's pending motions. 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.

PETITION DENIED