

The Supreme Court Update - December 11, 2023

by Brock Huebner, Ian Blodger, and Jessica M. Leano

On December 8, 2023, the Supreme Court of the United States granted certiorari in one case:

Harrow v. Department of Defense, No. 23-21: This case involves interpretation of the timing requirement for challenging a decision by the federal Merit Systems Protection Board. When a federal employee petitions the U.S. Court of Appeals for the Federal Circuit to review a final decision of the Merit Systems Protection Board, 5 U.S.C. § 7703(b)(1)(A) provides: “Notwithstanding 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.” The question presented is: Whether the 60-day deadline in Section 7703(b)(1)(A) is jurisdictional.

Related People

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- Ian Blodger
- Jessica M. Leano

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