

**UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD
WASHINGTON REGIONAL OFFICE**

MARTIN AKERMAN,
Appellant,

DOCKET NUMBER
DC-0752-23-0457-I-1

v.

DEPARTMENT OF THE ARMY,
Agency.

DATE: May 24, 2023

ORDER CLOSING THE RECORD AND RESETTING DEADLINES

I previously informed the appellant that he could submit his supplemental or final response to the jurisdictional and timeliness issues no later than June 8, 2023. *See e.g.*, Appeal File (AF), Tab 6. Nevertheless, on May 24, 2023, the appellant filed his Final Jurisdictional Response. *See* AF, Tab 50; *see also* AF, Tab 48. The agency may file its submission concerning the jurisdictional and timeliness issues no later than **June 5, 2023**.

The record on the jurisdictional and timeliness issues will close on **June 5, 2023**. No evidence or argument received after that date will be accepted unless accompanied by information showing that it is new and material evidence which was not available before the record closed. Notwithstanding the close of the record, however, pursuant to 5 C.F.R. § 1201.59(c), a party must be allowed to respond to new evidence or argument submitted by the other party just before the close of the record. Any filing pursuant to 5 C.F.R. § 1201.59(c) must be filed no later than **June 12, 2023**.

If either party objects to this order, they must file a written objection no later than **May 30, 2023**, or such objection will be deemed waived.

FOR THE BOARD:

_____/S/
Joshua Henline
Administrative Judge

CERTIFICATE OF SERVICE

I certify that the attached Document(s) was (were) sent as indicated this day to each of the following:

Appellant

Electronic Mail Martin Akerman
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Agency Representative

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May 24, 2023
(Date)

/s/
Tonya Holman
Paralegal Specialist