

MARTIN AKERMAN v. DEPARTMENT OF THE ARMY  
Docket # DC-0752-23-0457-I-1  
Request for Reconsideration, Board Review, or Right to Appeal  
Summary Page

**Case Title :** MARTIN AKERMAN v. DEPARTMENT OF THE ARMY

**Docket Number :** DC-0752-23-0457-I-1

**Pleading Title :** Request for Reconsideration, Board Review, or Right to Appeal

**Filer's Name :** Martin Akerman

**Filer's Pleading Role :** Appellant

**Details about the supporting documentation**

N/A

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Online Interview

1. Would you like to enter the text online or upload a file containing the pleading?

Enter Online

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2. Please enter text of your pleading.

Petitioner requests reconsideration of the May 4, 2023 Order Denying Motion for Certification of Interlocutory Appeal in the above-captioned case. Alternatively, petitioner seeks guidance on the appropriate avenue for appeal or petition for review. In the May 4, 2023 Order, the administrative judge denied petitioner's motion for certification of interlocutory appeal, stating that the motion did not provide evidence or arguments addressing the requirements for certification of an interlocutory appeal set forth in 5 C.F.R. Â§ 1201.92. While acknowledging the requirements set forth in 5 C.F.R. Â§ 1201.92, petitioner contends that the motion did, in fact, raise important questions of law or policy about which there is substantial ground for difference of opinion. Moreover, petitioner argues that an immediate ruling on the matter would materially advance the completion of the proceeding and that the denial of such a ruling may cause undue harm to the petitioner. In light of these concerns, petitioner respectfully requests that the administrative judge reconsider the denial of the motion for certification of interlocutory appeal. If reconsideration is not an available option, petitioner seeks guidance on the appropriate avenue for an appeal or petition for review of the May 4, 2023 Order.

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3. Does your pleading assert facts that you know from your personal knowledge?

Yes

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4. Do you declare, under penalty of perjury, that the facts stated in this pleading are true and correct?

Yes

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## **Certificate Of Service**

e-Appeal has handled service of the assembled pleading to MSPB and all of the Parties.

Following is the list of the Parties in the case:

Name & Address	Documents	Method of Service
MSPB: Washington Regional Office	Request for Reconsideration, Board Review, or Right to Appeal	e-Appeal / e-Mail
Eugene R. Ingrao, Sr. Agency Representative	Request for Reconsideration, Board Review, or Right to Appeal	e-Appeal / e-Mail