

SHERMAN S. STARTZ v. DEPARTMENT OF THE ARMY

Docket # SF-315H-22-0532-I-1

Response to MOTION TO ACCEPT AS TIMELY AND / OR TO ASK THE BOARD TO WAIVE
OR SET ASIDE THE TIME LIMIT dated 10/21/2022

Summary Page

Case Title : SHERMAN S. STARTZ v. DEPARTMENT OF THE ARMY

Docket Number : SF-315H-22-0532-I-1

Pleading Title : Response to MOTION TO ACCEPT AS TIMELY AND / OR TO ASK THE
BOARD TO WAIVE OR SET ASIDE THE TIME LIMIT dated 10/21/2022

Filer's Name : Sherman S. Startz

Filer's Pleading Role : Appellant

Details about the supporting documentation

N/A

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Response to MOTION TO ACCEPT AS TIMELY AND / OR TO ASK THE BOARD TO WAIVE OR
SET ASIDE THE TIME LIMIT dated 10/21/2022

Online Interview

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

See attached pleading text document

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

Yes

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

Yes

**MOTION TO ACCEPT FILING AS TIMELY AND/OR TO ASK THE BOARD
TO WAIVE OR SET ASIDE THE TIME LIMIT**

CASE NAME: Sherman S. Startz v. Department of the Army
DOCKET NUMBER: SF-315H-22-0532-I-1

Please choose and complete the following, as appropriate (use attachments as necessary):

1. I ask that the Board allow me to submit my proof that my petition was filed on time for the reason shown below. The following includes an exact and detailed description of when I received the initial decision: Dear MSPB; I have never been sure what the role of the MSPB was and the scope. The filing process is labor intensive and difficult to understand. While all of this may not be a good reason it is the reason I keep missing deadlines. EXAMPLE I did not even know about the case repository until I called in at the lady at extension#2101 helped me. Further, I had always received a email prompt and thats not happening. It was not until I got the "How did we do questionnaire survey" that I realized the scope of MSPB and how things could have gone like Whistle blower retaliation and discovery. Thats when I realized that NO, I am not satisfied with the service : no disrespect, but if it was as hard to steal from the Army as it is to navigate this process -- well maybe we would not be here. The bad characters know this and expect ANYONE in my place to "become the problem" I know well David ZRNA set me up to look like some national terrorist -- I cant help but wonder about DARRYL VAUGHN. I did not ever care for him or his work, but ALEUT hired him and every thing was OK with his new job then suddenly he is got big issues at the gate, LIKELY barred from Fort Wainwright -- that has DAVID ZRNA dropping a dime on him -- Like was likely planned for me. MALACE and INTENT becasue I was too hard working and detail oriented to get along with all this.

2. I ask that the Board set aside (i.e., waive) the deadline for filing my petition for the good cause (i.e., reason) shown below¹. The following is an exact and detailed description of the circumstances which caused my petition to be filed late. a. I did not realize the process . b. The system stopped prompting me.

a.

b.

¹ If you are alleging that your health has affected your ability to meet filing deadlines, the Board will find good cause for waiver of its filing time limits if you demonstrate that you suffered from an illness that affected your ability to file on time. To establish that an untimely filing was the result of an illness, you must: (1) Identify the time period during which you suffered from the illness; (2) Submit medical or other evidence showing that you suffered from the alleged illness during that time period; and, (3) Explain how the illness prevented you from timely filing your appeal or your petition for review.

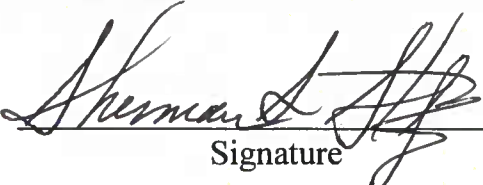
c.

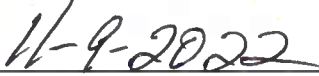
4. The reason(s) that I did not ask the Board for an extension of time to file the document before the deadline is : **I was confused with the process.**

PLEASE USE ONE OF THE FOLLOWING TWO SIGNATURE OPTIONS:

OPTION 1. SIGNED STATEMENT

I, Sherman S. Startz Appellant, swear under the penalty of perjury under the laws of the United States of America that the statements above are true and correct.


Signature


Date

OPTION 2. AFFIDAVIT

I, Sherman S. Startz Appellant, swear (or affirm) that the statements above are true and correct.

Signature

City/County of _____

State/Commonwealth of _____

Acknowledged and Sworn to me before this _____ day of _____ 200__

Signature of Notary

Expiration Date

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: Office of the Clerk of the Board	Response to MOTION TO ACCEPT AS TIMELY AND / OR TO ASK THE BOARD TO WAIVE OR SET ASIDE THE TIME LIMIT dated 10/21/2022	e-Appeal / e-Mail
Charles Eiser Agency Representative	Response to MOTION TO ACCEPT AS TIMELY AND / OR TO ASK THE BOARD TO WAIVE OR SET ASIDE THE TIME LIMIT dated 10/21/2022	e-Appeal / e-Mail
Pacific Region Agency Representative	Response to MOTION TO ACCEPT AS TIMELY AND / OR TO ASK THE BOARD TO WAIVE OR SET ASIDE THE TIME LIMIT dated 10/21/2022	e-Appeal / e-Mail