

**U.S. MERIT SYSTEMS PROTECTION BOARD
ATLANTA REGIONAL OFFICE**

KERRY DOYLE,

MARVA DE ARMAS,

STEPHANIE TOBOSA-SMIT

Appellants,

v.

U.S. DEPARTMENT OF JUSTICE,

Agency.

Docket No. _____

AJ: TBD

Date: April 9, 2025

Originally Filed March 17, 2025

**FIRST AMENDED REDUCTION-IN-FORCE APPEAL
AND REQUEST FOR PROCESSING AS A CLASS OR CONSOLIDATED APPEAL**

Introduction

This appeal involves a clear violation of law by the U.S. Department of Justice (Department or DOJ). On February 14, 2025, the Department summarily terminated the December 2024 cohort of newly appointed probationary Immigration Judges (“IJs”) in the DOJ’s Executive Office for Immigration Review (EOIR).¹ All thirteen IJs in the December 2024 cohort were highly experienced immigration attorneys appointed under the prior (Biden) Administration after an extensive application process.

The Department did not terminate these employees for any reason related to their individual performance or conduct. Rather, like thousands of other probationary employees across the government, the Department terminated this group of IJs as part of an effort to “reduce” the federal workforce. These probationary terminations share a common core of facts: Acting EOIR Director

¹ The Department appoints new IJs in “cohorts” or “classes,” whereby a group of IJs starts and goes through a six-week training program upon appointment.

Since Owen fired all thirteen IJs, the Acting EOIR Director fired the IJs at the same time, and in each of the termination notices, the Acting EOIR Director identified a single identical reason (“retaining you is not in the best interest of the Agency”). *See* Exhibit 1, Notice of Termination.

The Department misused these employees’ probationary status to effect a constructive or *de facto* reduction-in-force (RIF) without following the applicable RIF laws and regulations. The individual termination letters are an obvious pretext intended to avoid these RIF procedures, in contravention of applicable law and regulation and in violation of federal merit systems principles.

As set forth below, Appellants file on behalf of, and seek to represent, the following class: Immigration Judges appointed between December 2024 and January 2025 who were summarily terminated during their probationary/trial period on February 14, 2025, for reasons unrelated to their performance or conduct. Alternatively, Appellants request that the Board consolidate appeals filed by the cohort of IJs terminated during their probationary/trial period on February 14, 2025.² Appellants seek that the cases be consolidated for processing with the *Western* Regional Office, where seven other potential class members currently have appeals pending. *See* Appx. 1.

The relevant details of the instant appeal follow.

Background

1. The Appellants are Kerry Doyle, Marva De Armas, and Stephanie Tobosa-Smit.
2. The Agency is the Department of Justice, Executive Office for Immigration Review (“EOIR”) (“the Agency” or “the Department”).
3. Ms. Doyle, Ms. De Armas, and Ms. Tobosa-Smith were members of a cohort of thirteen IJs appointed with start dates between December 16, 2024-January 12, 2025. All members of the cohort had already reported to their assigned court, and were scheduled to begin the

² Inclusive of the instant appeals, undersigned counsel represents a total of ten (10) members of the cohort of terminated IJs, each of whom were experienced career federal attorneys, fired on the same day and by the same official as the Appellant.

New IJ Training course on January 2025 and for investiture on February 14, 2025. All had successfully completed an intensive application process and had extensive prior legal experience. All were serving a new trial/probationary period.

4. Prior to the summary terminations, on January 31, 2025, Acting EOIR Director Sirce Owen sent a communication to all EOIR employees expressing concern over EOIR's "current budgetary needs" and identifying specific concerns about EOIR's actions in excepting immigration judges from a hiring freeze that went into effect in November 2024. Ex. 3.
5. Ms. Doyle was appointed to her IJ position on December 15, 2024. Ex. 1a. At the time of her removal in February 2025, Ms. Doyle was a probationary employee serving in an NTE two-year excepted service appointment, IJ-0905-00-01, in the Concord Immigration Court. *Id.*; Ex. 2a (SF-50s).
6. Ms. De Armas was appointed to her IJ position on January 12, 2025. Ex. 1b. At the time of her removal in February 2025, Ms. De Armas was a probationary employee serving in an NTE two-year excepted service appointment, IJ-0905-00-01, in the Concord Immigration Court. *Id.*; Ex. 2b (SF-50s).
7. Ms. Tobosa-Smit was appointed to her IJ position on December 29, 2024. Ex. 1c. At the time of her removal in February 2025, Ms. Tobosa-Smit was a probationary employee serving in an NTE two-year excepted service appointment, IJ-0905-00-01, in the Concord Immigration Court. *Id.*; Ex. 2c (SF-50s).

Agency Personnel Action

8. The personnel action appealed is the Agency's constructive or *de facto* RIF, effective February 14, 2025, summarily terminating the thirteen most recently appointed IJs, all of whom were in their probationary/trial periods. On February 14, 2025, the Agency, via Acting EOIR Director Owen, emailed all IJs in the December 2024 cohort an almost

identical letter stating that their “term appointment as an excepted service Immigration Judge (IJ)... is hereby terminated today.” The Agency provides as the sole reason for the removal: “EOIR has determined that retaining you is not in the best interest of the Agency.” (Exhibit 1). The Agency did not provide any of the terminated IJs any notice of appeal rights to the MSPB. See Ex. 1.

9. The removal action is improper because:

- a) The Agency’s summary termination of thirteen probationary IJs, including Appellants, via near-identical template separation notices and on the same date constitutes a constructive or *de facto* RIF.³ The Agency failed to carry out this RIF in accordance with the laws and regulations governing RIFs. See 5 U.S.C. § 3502, 5 C.F.R. Part 351.⁴
- b) The Agency misused Appellants’ probationary status⁵ -- to effect a constructive

³ RIF regulations provide for an orderly process of determining which employees are retained rather than separated and ensuring that those decisions are made according to merit-based factors. See 5 U.S.C. § 3502; 5 C.F.R. §§ 351.501-506. The law requires that employees with better performance ratings and disabled veterans with veterans’ preference are retained over other competing employees in their retention groups. 5 U.S.C. § 3502. Three of the terminated IJs are veterans, which could give them preference over other employees in a RIF; it is not a foregone conclusion that Appellants would be separated during a RIF.

⁴ The Board has jurisdiction over an appeal of a constructive or *de facto* RIF and must order corrective action. See 5 C.F.R. § 351.902; *Bielomaz v. Dep’t of the Navy*, 86 M.S.P.R. 276, 311 (2000) (recognizing that probationary employees subject to RIF may have rights to appeal the RIF); *Coleman v. Fed. Deposit Ins. Corp.*, 62 M.S.P.R. 187, 189-90 (1994) (holding that an appellant need not be an “employee” under § 7511 to enjoy Board appeal rights under RIF procedures under 5 C.F.R. § 351.202); see also *Cox v. Tennessee Valley Auth.*, 41 M.S.P.R. 686, 689 (1989) (concluding that the agency “was required to invoke RIF procedures” when it released a competing employee from his competitive level when the release was required because of a reorganization); *Perlman v. Dep’t of the Army*, 23 M.S.P.R. 125, 126-27 (1984) (noting the agency admitted that the removal was not based upon Mr. Perlman personally or the performance of his duties, concluding that the agency should have, but failed to, afford him any procedural or substantive RIF rights when it effected his removal as part of a reorganization and ordering the agency to cancel the removal action and provide him with back pay); 5 C.F.R. § 351.201(a)(2) (stating, in relevant part, that “[e]ach agency shall follow this part when it releases a competing employee from his or her competitive level ... when the release is required because of ... [a] reorganization.”).

⁵ As the legislative history of the Civil Service Reform Act explains, “[t]he probationary or trial period . . . is an extension of the examining process to determine an employee’s ability to actually perform the duties of the position.” S. Rep. No. 95-969, at 45 (1978).

RIF without complying with the requisite RIF laws and regulations – when it terminated Appellants for reasons unrelated to satisfactory performance or conduct.

- c) The removal was taken in violation of 5 U.S.C. § 2302(b)(4) and (b)(12).

Affirmative defenses

10. Due Process: The Agency's failure to apply RIF regulations has deprived Appellants of substantive as well as procedural rights that could allow them to keep their jobs or be reassigned to new positions and would have allowed them, at a minimum, to remain employed during the RIF process. *See* 5 U.S.C. § 3502; 5 C.F.R. §§ 351.501-506.

11. Prohibited Personnel Practices: The Agency's summary removal of Appellants violated 5 U.S.C. § 2302(b)(1), (b)(4) (regarding deception or willful obstruction of a person's right to compete for employment) and (b)(12) (regarding taking a personnel action that violates a law, rule, or regulation concerning merit system principles), because:

- a) The RIF statute and regulations at 5 U.S.C. § 3502 and 5 C.F.R. part 351 concern, among other merit system principles, 5 U.S.C. § 2301(b)(6) and 5 U.S.C. § 2301(b)(8)(A), which provide that employees should be retained on the basis of the adequacy of their performance, separated when they cannot or will not improve their performance to meet required standards, and protected against arbitrary action. Thus, terminating employees in violation of this law and regulation constitutes a prohibited personnel practice under § 2302(b)(4) and (b)(12).
- b) Terminating employees in their trial period for reasons other than their individual fitness for federal employment is contrary to 5 U.S.C. § 7511(a)(1)(C). As this statute implements or directly concerns the merit system principles described in 5 U.S.C. §§ 2301(b)(1), (5), (6), and (8)(A), violating it constitutes a prohibited

personnel practice under § 2302(b)(4) and (12).

Request for Class Appeal, or in the Alternative, Consolidation

12. Appellants requests that the Board process the instant appeal as a multi-region class action appeal pursuant to 5 C.F.R. § 1201.27.
13. Appellants requests the opportunity to submit briefing on the appropriateness of certifying a class consisting of other probationary employees in the December 2024 IJ cohort (i.e., IJs appointed between December 16-January 16, 2025) who were summarily terminated on February 14, 2025, via nearly identical notices and based on identical justifications.
14. A class appeal is the “fairest and most efficient way to adjudicate the appeal.” 5 C.F.R. § 1201.27(a). Appellants and the other IJs summarily terminated on February 14, 2025, are similarly situated in that all were subjected to the same constructive or *de facto* RIF. Appellants and their similarly situated colleagues meet requirements for class certification consistent with MSPB regulation and guidance. Specifically:
 - a) Numerosity: the Appellants, up to thirteen in total, are located across the country and would otherwise have to proceed in multiple different MSPB regional offices. The most efficient way to proceed is to process the complaint as a class or consolidated action before a single Administrative Judge in a single regional office.
 - b) Commonality: All members of the class face common questions of law and fact that predominate over any questions affecting only individual members. Common questions include whether these probationary IJs were terminated pursuant to a constructive or *de facto* RIF. The IJs were terminated for identical reasons, via near identical letters, sent by the same individual and on the same date. The IJs were all in their initial probationary or trial period.
 - c) Typicality: Appellants claims are typical of (and identical to) the claims of the class.

- d) Adequacy: Appellants will fairly and adequately represent and protect the interests of class members. Appellants have retained counsel competent and experienced in MSPB practice and procedure and in complex issues impacting federal employment.
- e) Predominance and Superiority. Class certification under Fed. R. Civ. P. 23(b)(3) is also appropriate because common questions of fact and law predominate over questions affecting only individual class members, and because a class action is superior to other available methods for the fair and efficient adjudication of this litigation. The class members have been damaged and are entitled to recovery because of the Department's common, uniform, and unlawful constructive or *de facto* RIF. The remedy and monetary relief is identical for all class members.

Remedies requested

15. Appellants request the following remedies:

- a. Rescission of the removal;
- b. Retroactive reinstatement with back pay, interest, and benefits;
- c. Reimbursement of full and reasonable attorney fees and costs;
- d. Compensatory and consequential damages;⁶
- e. All other relief that will provide Appellants with make-whole relief; and
- f. Any other relief deemed appropriate.

16. The name, address, and telephone number of Appellants' counsel are noted below.

17. Neither Ms. Doyle, Ms. De Armas, Ms. Tobosa-Smit, nor anyone acting on their behalf has filed a grievance or a formal discrimination complaint with any agency regarding this

⁶ These damages include the Agency's failure to pay severance pursuant to 5 U.S.C. § 5595 or other law or regulation.

matter.

18. AN IN-PERSON HEARING IS HEREBY REQUESTED.

19. This appeal is timely filed pursuant to 5 C.F.R. § 1201.22(b)(1).

Date: April 9, 2025

Respectfully submitted,



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APPENDIX A: LIST OF CLASS MEMBERS

Appellants seek to represent a class consisting of newly appointed Immigration Judges summarily terminated on February 14, 2025. Class Members represented by Alden Law Group and Democracy Forward are identified below. In the alternative, Appellants seek to have the below appeals consolidated for processing:

- Acosta, Lanny
 - Appeal filed on February 26, 2025, MSPB No. DA-4324-25-0585-I-1 (Dallas), amended on DA-0752-25-0936-I-1, to include a RIF appeal; stayed pending a ruling on the instant request for adjudication as a class appeal. Both appeals were reassigned on April 7, 2025, to Administrative Judge Christoph Riddle, MSPB Western Regional Office.⁷
- Crockett, Kerrie – Appeal filed with the Dallas Regional Office, Docket No. DA-0752-25-0808-I-1.⁸ Reassigned on April 7, 2025, to Administrative Judge Christoph Riddle, MSPB Western Regional Office.
- De Armas, Marva – Appeal filed March 17, 2025.
- Doyle, Kerry – Appeal filed March 17, 2025.
- Lasseur, Crystal
 - Appeal filed on March 11, 2025; MSPB No. AT-0752-25-1390-I-1, ATL CAJ Lanphear. Reassigned on April 7, 2025, to Administrative Judge Christoph Riddle, MSPB Western Regional Office.
- McDowell, Karen
 - Appeal filed on February 28, 2025, MSPB No. SF-0752-25-0819-I-1, Western RO. Stayed pending ruling on the instant request for adjudication as a class appeal.
- Tobosa-Smit, Stephanie – Appeal filed March 17, 2025.
- Urraca, Yaniris
 - Appeal filed on March 11, 2025, case No. PH-0752-25-1142-I-1, Northeastern Regional Office. Reassigned on March 28, 2025, to Administrative Judge Christoph Riddle, MSPB Western Regional Office.
- Uzoka, Uchenna

⁷ Mr. Acosta's appeal alleges that his termination was in violation of USERRA. For purposes of the instant class/consolidated appeal, Appellants seek that Mr. Acosta's USERRA claim be bifurcated or severed for purposes of processing the RIF appeal.

⁸ Appellant also filed an appeal through counsel on March 17, 2025, with Atlanta Regional Office, under the mistaken assumption that an appeal had not yet been docketed with the Dallas Office.

- Appeal filed March 8, 2025, MSPB No. AT-0752-25-1356-I-1 Reassigned on April 7, 2025, to Administrative Judge Christoph Riddle, MSPB Western Regional Office.
- Ybarra, Jesus
 - Appeal filed on March 6, 2025, MSPB No. DA-0752-25-0776-I-1 (Dallas R.O.). Acknowledgement Order issued March 10, 2025 Reassigned on April 7, 2025, to Administrative Judge Christoph Riddle, MSPB Western Regional Office.



U.S. Department of Justice

Executive Office for Immigration Review

Office of the Director

Director

5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

February 14, 2025

VIA HAND-DELIVERY & E-MAIL

Kerry Doyle, Immigration Judge
Chelmsford Immigration Court
kerry.doyle2@usdoj.gov

Dear Judge Doyle,

This notice serves to inform you that your term appointment as an excepted service Immigration Judge (IJ) with the Executive Office for Immigration Review (EOIR), Office of the Chief Immigration Judge (OCIJ), U.S. Department of Justice (DOJ), is hereby terminated effective today, February 14, 2025. You were appointed as an IJ on December 15, 2024. EOIR has determined that retaining you is not in the best interest of the Agency. You are required to return all government property, immediately.

You may have rights before the Equal Employment Opportunity Commission (EEOC) or the U.S. Office of Special Counsel (OSC) if you believe that this decision was improperly motivated. You may contact the Equal Employment Opportunity (EEO) staff at EOIR.EEOMailbox@usdoj.gov or (703) 756-8582. Information regarding the Federal Sector EEO process and the EEOC's authority is available at www.eeoc.gov. The procedures governing OSC complaints, and a list of prohibited personnel practices, are available at www.osc.gov.

EOIR thanks you for your service.

Sincerely,

SIRCE
OWEN

Digitally signed by
SIRCE OWEN
Date: 2025.02.14
14:14:11 -05'00'

Sirce Owen, Acting Director EOIR



U.S. Department of Justice

Executive Office for Immigration Review

Office of the Director

Director

5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

February 14, 2025

VIA HAND-DELIVERY & E-MAIL

Marva De Armas, Immigration Judge

Richmond Immigration Court

marva.dearmas@usdoj.gov

Dear Judge De Armas,

This notice serves to inform you that your term appointment as an excepted service Immigration Judge (IJ) with the Executive Office for Immigration Review (EOIR), Office of the Chief Immigration Judge (OCIJ), U.S. Department of Justice (DOJ), is hereby terminated effective today, February 14, 2025. You were appointed as an IJ on January 12, 2025. EOIR has determined that retaining you is not in the best interest of the Agency. You are required to return all government property, immediately.

You may have rights before the Equal Employment Opportunity Commission (EEOC) or the U.S. Office of Special Counsel (OSC) if you believe that this decision was improperly motivated. You may contact the Equal Employment Opportunity (EEO) staff at EOIR.EEOMailbox@usdoj.gov or (703) 756-8582. Information regarding the Federal Sector EEO process and the EEOC's authority is available at www.eeoc.gov. The procedures governing OSC complaints, and a list of prohibited personnel practices, are available at www.osc.gov.

EOIR thanks you for your service.

Sincerely,

**SIRCE
OWEN**

Digitally signed
by SIRCE OWEN
Date: 2025.02.14
14:13:43 -05'00'

Sirce Owen, Acting Director EOIR



U.S. Department of Justice

Executive Office for Immigration Review

Office of the Director

Director

5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

February 14, 2025

VIA HAND-DELIVERY & E-MAIL

Stephanie Tobosa-Smit, Immigration Judge

Concord Immigration Court

stephanie.tobosa-smit@usdoj.gov

Dear Judge Tobosa-Smit,

This notice serves to inform you that your term appointment as an excepted service Immigration Judge (IJ) with the Executive Office for Immigration Review (EOIR), Office of the Chief Immigration Judge (OCIJ), U.S. Department of Justice (DOJ), is hereby terminated effective today, February 14, 2025. You were appointed as an IJ on December 29, 2024. EOIR has determined that retaining you is not in the best interest of the Agency. You are required to return all government property, immediately.

You may have rights before the Equal Employment Opportunity Commission (EEOC) or the U.S. Office of Special Counsel (OSC) if you believe that this decision was improperly motivated. You may contact the Equal Employment Opportunity (EEO) staff at EOIR.EEOMailbox@usdoj.gov or (703) 756-8582. Information regarding the Federal Sector EEO process and the EEOC's authority is available at www.eeoc.gov. The procedures governing OSC complaints, and a list of prohibited personnel practices, are available at www.osc.gov.

EOIR thanks you for your service.

Sincerely,

Sirce Owen, Acting Director EOIR

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) DOYLE, KERRY E				2. Social Security Number [REDACTED]		3. Date of Birth [REDACTED]		4. Effective Date 01/12/2025			
FIRST ACTION				SECOND ACTION							
5-A. Code 894		5-B. Nature of Action GEN ADJ		6-A. Code		6-B. Nature of Action					
5-C. Code QWM		5-D. Legal Authority REG 531.207		6-C. Code		6-D. Legal Authority					
5-E. Code ZLM		5-F. Legal Authority E O 14132		6-E. Code		6-F. Legal Authority					
7. FROM: Position Title and Number				15. TO: Position Title and Number IMMIGRATION JUDGE 90200564 EIRIJ8							
8. Pay Plan	9. Occ. Code	10. Grade or Level	11. Step or Rate	12. Total Salary 204,000.00	13. Pay Basis PA	16. Pay Plan IJ	17. Occ. Code 0905	18. Grade or Level 00	19. Step or Rate 04	20. Total Salary/Award 207,500.00	21. Pay Basis PA
12A. Basic Pay 176,548.00		12B. Locality Adj. 27,452.00		12C. Adj. Basic Pay 204,000.00		12D. Other Pay .00		20A. Basic Pay 179,584.00		20B. Locality Adj. 27,916.00	
								20C. Adj. Basic Pay 207,500.00		20D. Other Pay .00	
14. Name and Location of Position's Organization						22. Name and Location of Position's Organization EXE OFC FOR IMMIGRATION REVIEW OFC OF THE CHIEF IMMIG JUDGE LOWELL IMMIGRATION COURT DJ EI1203028600000000 PP 01 2025					
EMPLOYEE DATA											
23. Veterans Preference 1 1 - None 3 - 10-Point/Disability 5 - 10-Point/Other 2 - 5-Point 4 - 10-Point/Compensable 6 - 10-Point/Compensable/30%						24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use		26. Veterans Preference for RIF YES X NO	
27. FEGLI C0 BASIC						28. Annuitant Indicator 9 NOT APPLICABLE		29. Pay Rate Determinant 0 NOT APPLICABLE			
30. Retirement Plan KF FERS (FRAE)				31. Service Comp. Date (Leave) 09/20/2021		32. Work Schedule F FULL TIME		33. Part-Time Hours Per Biweekly Pay Period			
POSITION DATA											
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888			
38. Duty Station Code 25-0195-017				39. Duty Station (City - County - State or Overseas Location) CHELMSFORD MIDDLESEX MA							
40. Agency Data		41. SEX: F		42. CITIZ: 1		43. VET STAT: X		44. ED LV:15 YR:93 INST PRG:220101			
45. Remarks FEDERAL PAY INCREASE DUE TO E.O.14132 SIGNED 12/23/24. SALARY INCLUDES A GENERAL INCREASE OF 1.7% ROUNDED AND A LOCALITY PAYMENT (OR OTHER GEOGRAPHIC ADJUSTMENT) APPLICABLE IN THIS AREA.											
46. Employing Department or Agency U.S. DEPARTMENT OF JUSTICE						50. Signature/Authentication and Title of Approving Official ELECTRONICALLY SIGNED BY:					
47. Agency Code DJ12		48. Personnel Office ID 4475		49. Approval Date 12/23/2024		TIMOTHY SULLIVAN HUMAN RESOURCES OFFICER					

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) DE ARMAS, MARVA						2. Social Security Number [REDACTED]		3. Date of Birth [REDACTED]		4. Effective Date 02/14/2025					
FIRST ACTION						SECOND ACTION									
5-A. Code 330		5-B. Nature of Action REMOVAL				6-A. Code		6-B. Nature of Action							
5-C. Code ZLM		5-D. Legal Authority MEMO DATED 2/14/25				6-C. Code		6-D. Legal Authority							
5-E. Code		5-F. Legal Authority				6-E. Code		6-F. Legal Authority							
7. FROM: Position Title and Number IMMIGRATION JUDGE 90201066 EIRIJ8						15. TO: Position Title and Number									
8. Pay Plan IJ		9. Occ. Code 0905	10. Grade or Level 00	11. Step or Rate 01	12. Total Salary 167,083.00	13. Pay Basis PA	16. Pay Plan		17. Occ. Code	18. Grade or Level	19. Step or Rate	20. Total Salary/Award	21. Pay Basis		
12A. Basic Pay 136,640.00		12B. Locality Adj. 30,443.00		12C. Adj. Basic Pay 167,083.00		12D. Other Pay .00		20A. Basic Pay		20B. Locality Adj. .00		20C. Adj. Basic Pay		20D. Other Pay .00	
14. Name and Location of Position's Organization EXE OFC FOR IMMIGRATION REVIEW OFC OF THE CHIEF IMMIG JUDGE RICHMOND IMMIGRATION COURT						22. Name and Location of Position's Organization 7A DJ EI1203028000000000 PP 03 2025									
EMPLOYEE DATA															
23. Veterans Preference 1 1 - None 3 - 10-Point/Disability 5 - 10-Point/Other 2 - 5-Point 4 - 10-Point/Compensable 6 - 10-Point/Compensable/30%						24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite			25. Agency Use		26. Veterans Preference for RIF YES X NO				
27. FEGLI C0 BASIC						28. Annuitant Indicator 9 NOT APPLICABLE			29. Pay Rate Determinant 0 NOT APPLICABLE						
30. Retirement Plan KF FERS (FRAE)				31. Service Comp. Date (Leave) 01/12/2025		32. Work Schedule F FULL TIME			33. Part-Time Hours Per Biweekly Pay Period						
POSITION DATA															
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code			37. Bargaining Unit Status 7777						
38. Duty Station Code 51-2060-760				39. Duty Station (City - County - State or Overseas Location) RICHMOND RICHMOND VA											
40. Agency Data		41. SEX: F		42. CITZ: 1		43. VET STAT: X		44. ED LV:15 YR:15 INST PRG:220101							
45. Remarks SF-2819 WAS PROVIDED. LIFE INSURANCE COVERAGE IS EXTENDED FOR 31 DAYS DURING WHICH YOU ARE ELIGIBLE TO CONVERT TO AN INDIVIDUAL POLICY (NON-GROUP CONTRACT). FORWARDING ADDRESS=[REDACTED] LUMP-SUM PAYMENT TO BE MADE FOR ANY UNUSED ANNUAL LEAVE. REASON(S) FOR REMOVAL: AS PER MEMO DATED 02/14/2025.															
46. Employing Department or Agency U.S. DEPARTMENT OF JUSTICE						50. Signature/Authentication and Title of Approving Official ELECTRONICALLY SIGNED BY:									
47. Agency Code DJ12		48. Personnel Office ID 4475		49. Approval Date 02/13/2025		TIMOTHY SULLIVAN HUMAN RESOURCES OFFICER									

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle)

TOBOSA-SMIT, STEPHANIE C

2. Social Security Number

3. Date of Birth

4. Effective Date

01/12/2025

FIRST ACTION

SECOND ACTION

5-A. Code

894

5-B. Nature of Action

GEN ADJ

6-A. Code

6-B. Nature of Action

5-C. Code

QWM

5-D. Legal Authority

REG 531.207

6-C. Code

6-D. Legal Authority

5-E. Code

ZLM

5-F. Legal Authority

E O 14132

6-E. Code

6-F. Legal Authority

7. FROM: Position Title and Number

15. TO: Position Title and Number

IMMIGRATION JUDGE

90200863 EIRIJ8

8. Pay Plan

9. Occ. Code

10. Grade or Level

11. Step or Rate

12. Total Salary

13. Pay Basis

PA

16. Pay Plan

17. Occ. Code

18. Grade or Level

19. Step or Rate

20. Total Salary/Award

21. Pay Basis

12A. Basic Pay

134,330.00

12B. Locality Adj.

60,999.00

12C. Adj. Basic Pay

195,329.00

12D. Other Pay

.00

20A. Basic Pay

136,640.00

20B. Locality Adj.

63,319.00

20C. Adj. Basic Pay

199,959.00

20D. Other Pay

.00

14. Name and Location of Position's Organization

22. Name and Location of Position's Organization

EXE OFC FOR IMMIGRATION REVIEW

OFC OF THE CHIEF IMMIG JUDGE

CONCORD IMMIGRATION COURT

DJ EI1203028800000000 PP 01 2025

EMPLOYEE DATA

23. Veterans Preference

1

1 - None

3 - 10-Point/Disability

5 - 10-Point/Other

2 - 5-Point

4 - 10-Point/Compensable

6 - 10-Point/Compensable/30%

24. Tenure

3

0 - None

2 - Conditional

1 - Permanent

3 - Indefinite

25. Agency Use

26. Veterans Preference for RIF

YES X NO

27. FEGLI

B0 WAIVED

28. Annuitant Indicator

9

NOT APPLICABLE

29. Pay Rate Determinant

0

NOT APPLICABLE

30. Retirement Plan

K FERS AND FICA

31. Service Comp. Date (Leave)

12/07/2017

32. Work Schedule

F

FULL TIME

33. Part-Time Hours Per

Biweekly

Pay Period

POSITION DATA

34. Position Occupied

2

1 - Competitive Service

3 - SES General

2 - Excepted Service

4 - SES Career Reserved

35. FLSA Category

E

E - Exempt

N - Nonexempt

36. Appropriation Code

37. Bargaining Unit Status

8888

38. Duty Station Code

06-0820-013

39. Duty Station (City - County - State or Overseas Location)

CONCORD CONTRA COSTA CA

40. Agency Data

41.

SEX: F

42.

CITIZ: 1

43.

VET STAT: X

44.

ED LV:15 YR:12 INST PRG:220101

45. Remarks

FEDERAL PAY INCREASE DUE TO E.O.14132 SIGNED 12/23/24.
SALARY INCLUDES A GENERAL INCREASE OF 1.7% ROUNDED AND A LOCALITY
PAYMENT (OR OTHER GEOGRAPHIC ADJUSTMENT) APPLICABLE IN THIS AREA.

46. Employing Department or Agency

U.S. DEPARTMENT OF JUSTICE

47. Agency Code

DJ12

48. Personnel Office ID

4475

49. Approval Date

12/23/2024

50. Signature/Authentication and Title of Approving Official
ELECTRONICALLY SIGNED BY:

TIMOTHY SULLIVAN

HUMAN RESOURCES OFFICER