

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

EDMOND TYLER, II,
Petitioner,

v.

DEPARTMENT OF THE ARMY,
Respondent.

2011-3098

Petition for review of the Merit Systems Protection Board in case no. DC0752100401-I-1.

ON MOTION

O R D E R

Edmond Tyler, II moves for reconsideration of the court's order denying his motion for leave to proceed in forma pauperis as incomplete.

Having now submitted a completed motion for leave to proceed in forma pauperis in this case, the court determines that the docketing fee may be waived.

Accordingly,

IT IS ORDERED THAT:

(1) The requirement to pay the docketing fee is waived. The motion for reconsideration is granted, the mandate recalled, the dismissal order vacated, and the petition for review reinstated.

(2) The Army should calculate its brief due date from the date of this order.

FOR THE COURT

SEP 27 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Edmond Tyler, II
Christopher A. Bowen, Esq.

s20

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

SEP 27 2011

JAN HORBALY
CLERK