

NOTE: This order is nonprecedential.

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

DAVID M. PECARD,
Petitioner,

v.

DEPARTMENT OF AGRICULTURE,
Respondent.

2011-3151

Petition for review of the Merit Systems Protection Board in case no. DA3330090730-B-1.

ON MOTION

O R D E R

David M. Pecard moves, without opposition, to reinstate his petition for review, and attaches his brief.

On March 7, 2012, this court dismissed Pecard's petition for failure to file his brief.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is granted, the mandate is recalled, and the appeal is reinstated. Pecard's brief is accepted for filing and any deficiencies are waived.

(2) The Department of Agriculture's brief is due within 21 days from the date of filing of this order.

FOR THE COURT

APR 25 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: David M. Pecard
Jeffrey D. Klingman, Esq.

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

APR 25 2012

JAN HORBALY
CLERK