

NOTE: This order is nonprecedential.

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

TIMOTHY J. TIERNEY,
Petitioner,

v.

DEPARTMENT OF JUSTICE,
Respondent.

2011-3159

Petition for review of the Merit Systems Protection Board in case no. DA3443060659-I-2.

ON MOTION

O R D E R

This case was stayed pending the disposition of *Duncan v. Dep't of the Air Force*, 2011-3053. Both Tierney and the Department of Justice inform the court that at least some issues will require briefing in this case.

Upon consideration thereof,

IT IS ORDERED THAT:

The stay of briefing is lifted. Tierney's opening brief is due within 60 days of the date of filing of this order.

FOR THE COURT

JUN 13 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Steven L. Herrick, Esq.
Michael P. Goodman, Esq.

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

JUN 13 2012

JAN HORBALY
CLERK