

NOTE: This order is nonprecedential.

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

STEPHEN W. GINGERY,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent.

2011-3225

Petition for review of the Merit Systems Protection Board in case no. CH3330101038-I-1.

ON MOTION

ORDER

Stephen W. Gingery moves without opposition to reform the official caption to designate the Merit Systems Protection Board as the respondent and for extensions of time to file his informal brief.

Pursuant to 5 U.S.C. § 7703(a)(2), the Board is designated as the respondent when the Board's decision concerns the procedure or jurisdiction of the Board. The employing agency is designated as the respondent when the Board reaches the merits of the underlying case. We

determine that the Board should be designated as the respondent.

Accordingly,

IT IS ORDERED THAT:

(1) The motions to reform the official caption are granted. The revised official caption is reflected above.

(2) The motions for extensions of time are granted. Gingery's informal brief is due within 30 days of the date of filing of this order.

FOR THE COURT

DEC 29 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Stephen W. Gingery
Devin A. Wolak, Esq.
Michael Carney, Esq.

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

DEC 29 2011

JAN HORBALY
CLERK