

NOTE: This order is nonprecedential

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

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**AUGUSTINE PEREZ,**  
*Plaintiff-Appellant,*

v.

**UNITED STATES,**  
*Defendant-Appellee.*

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2011-5129

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Appeal from the United States Court of Federal  
Claims in case no. 10-CV-821, Judge Francis M. Allegra.

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**ON MOTION**

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Before BRYSON, MAYER, and LINN, *Circuit Judges.*

PER CURIAM.

**O R D E R**

Augustine Perez moves for reconsideration of the court's order summarily affirming the judgment of the United States Court of Federal Claims and requests reconsideration en banc.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion for reconsideration by the panel is denied.
- (2) The request for en banc reconsideration shall be circulated to the court.

FOR THE COURT

NOV 09 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Augustine Perez  
Lauren S. Moore, Esq.

s8

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

NOV 09 2012

JAN HORBALY  
CLERK