

NOTE: This order is nonprecedential.

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

VINCENT E. WASHINGTON,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent.

2012-3079

Petition for review of the Merit Systems Protection Board in case no. DC0752110411-I-1.

ON MOTION

O R D E R

The Department of the Treasury moves to recaption to name the Merit Systems Protection Board as respondent.

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. Here, the Board dismissed Washington's appeal for lack of juris-

diction. Thus, the Board is the proper respondent in this petition for review.

Accordingly,

IT IS ORDERED THAT:

The motion is granted. The revised official caption is reflected above.

FOR THE COURT

MAR 30 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Vincent E. Washington
Joseph A. Pixley, Esq.
David Brooks, Esq.

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

MAR 30 2012

JAN HORBALY
CLERK