

NOTE: This order is nonprecedential.

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

ROBERT DONNELL DONALDSON,
Petitioner,

v.

DEPARTMENT OF HOMELAND SECURITY,
Respondent.

2012-3106

Petition for review of the Merit Systems Protection Board in consolidated case nos. DC3330110367-1-1, DC4324110475-1-1, and DC3330110637-1-1.

ON MOTION

O R D E R

Robert Donnell Donaldson moves to strike respondent's brief because the brief "contains assertions that are Factually Incorrect." The Department of Homeland Security moves for leave to file a response and opposes. Donaldson replies.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) Donaldson's motion is denied. The court treats Donaldson's motion as his reply brief. Copies of the reply brief and this order shall be transmitted to the merits panel.

(2) The motion for leave to file a response is granted.

FOR THE COURT

AUG 15 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Robert Donnell Donaldson
Joshua E. Kurland, Esq.

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

AUG 15 2012

JAN HORBALY
CLERK