

NOTE: This order is nonprecedential.

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

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**MATTHEW C. MCGAUGH,**  
*Petitioner,*

v.

**DEPARTMENT OF JUSTICE,**  
*Respondent.*

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2013-3004

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Petition for review of the Merit Systems Protection Board in case no. DA3443110672-I-1.

PER CURIAM.

**O R D E R**

Matthew C. McGaugh submits a form stating that he is not required to pay the docketing fee because his case before the Merit Systems Protection Board involved a claim under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

It does not appear, from a review of the Board decision on review, that McGaugh's case involved a USERRA claim. Thus, within 21 days of the date of filing of this order, McGaugh must either (1) establish that his case at the Board involved a USERRA claim, (2) complete a

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motion for leave to proceed in forma pauperis, or (3) pay the \$450 docketing fee.

Accordingly,

IT IS ORDERED THAT:

Within 21 days of the date of filing of this order, McGaugh must either (1) establish that his case at the Board involved a USERRA claim, (2) complete a motion for leave to proceed in forma pauperis, or (3) pay the \$450 docketing fee.

FOR THE COURT

/s/ Jan Horbaly  
Jan Horbaly  
Clerk

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