

NOTE: This order is nonprecedential.

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

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**PATRICIA W. DANIEL,**  
*Petitioner,*

v.

**MERIT SYSTEMS PROTECTION BOARD,**  
*Respondent.*

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2013-3040

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Petition for review of the Merit Systems Protection Board in No. AT0752110374-I-2.

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**ON MOTION**

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**O R D E R**

The Department of the Army moves without opposition to reform the official caption to designate the Merit Systems Protection Board (“Board”) as the 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. In this case, the Board dismissed the appeal for lack of

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

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The Department of the Army's motion to reform the caption is granted. The revised official caption is reflected above.

(2) The respondent should calculate its brief due date from the date of filing of this order.

FOR THE COURT

/s/ Jan Horbaly  
Jan Horbaly  
Clerk

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