

NOTE: This order is nonprecedential.

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

CESAR A. DELA ROSA,
Petitioner,

v.

OFFICE OF PERSONNEL MANAGEMENT,
Respondent.

2013-3078

Petition for review of the Merit Systems Protection Board in No. SF831E120107-I-1.

ON MOTION

O R D E R

Cesar A. Dela Rosa moves for a petition for panel rehearing which the court treats as a motion to reopen the appeal and to recall the mandate. The court notes that Mr. Dela Rosa's appeal was dismissed on April 23, 2013, for failure to file the 15(c) statement concerning discrimination.

Upon consideration thereof,

CESAR DELA ROSA V. OPM

2

IT IS ORDERED THAT:

The motion will be granted, the mandate will be recalled, the dismissal order will be vacated, and the petition for review will be reinstated if, within 45 days of the date of filing of this order, Dela Rosa files his 15(c) Statement Concerning Discrimination (form enclosed).

FOR THE COURT

/s/ Jan Horbaly
Jan Horbaly
Clerk

s21