

NOTE: This order is nonprecedential.

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

BEN R. CARRILLO,
Petitioner,

v.

DEPARTMENT OF HOMELAND SECURITY,
Respondent.

2013-3105

Petition for review of the Merit Systems Protection Board in No. DE3330120088-I-1.

ON MOTION

O R D E R

Ben R. Carrillo moves for reinstatement of his petition for review.

The court notes that his petition for review was dismissed on July 31, 2013 for failure to file his brief. The court also notes that Mr. Carrillo submitted his opening brief on August 13, 2013.

Upon consideration thereof,

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IT IS ORDERED THAT:

(1) The motion is granted. The mandate is recalled, the court's dismissal order is vacated, and the petition is reinstated.

(2) Mr. Carrillo's opening brief is accepted for filing. DHS should calculate the due date for its response brief from the date of filing of this order.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk

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