

NOTE: This order is nonprecedential.

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

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**ANDREW SEARCY, JR.,**  
*Petitioner,*

v.

**DEPARTMENT OF AGRICULTURE,**  
*Respondent.*

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2013-3175

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Petition for review of the Merit Systems Protection Board in No. AT4324120759-I-1.

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**ON MOTION**

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**O R D E R**

Andrew Searcy, Jr. moves for “judgment based on respondent’s counsel fraud upon the court”.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion shall be deferred to the merits panel assigned to the case. A copy of the motions papers, any

2

SEARCY v. AGRICULTURE

response, and this order shall be transmitted to the merits panel.

FOR THE COURT

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

s21