

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-3112

ALVERN C. WEED,

Petitioner,

v.

SOCIAL SECURITY ADMINISTRATION,

Respondent.

Petition for review of the Merit Systems Protection Board in
DE3443050248-I-3.

ON MOTION

Before MOORE, Circuit Judge.

ORDER

Alvern C. Weed moves for reconsideration of the court's November 10, 2008 order dismissing his petition for review for failure to file an appendix, with appendix attached. The Social Security Administration has not responded.

Counsel for Weed states that Weed elected to prepare the appendix himself to minimize expenses. Counsel states that the appendix was rejected because the cover was the wrong color and that counsel was not aware of the rejection until November 2008.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion for reconsideration is granted, the mandate is recalled, and the petition is reinstated

FOR THE COURT

APR 2 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

cc: Morris E. Fischer, Esq.
Joseph E. Ashman, Esq.

APR 02 2009

JAN HORBALY
CLERK

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