

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-3202

DONALD A. DAVIS,

Petitioner,

v.

DEPARTMENT OF JUSTICE,

Respondent.

Petition for review of the Merit Systems Protection Board
in NY0752070114-I-1.

ON MOTION

ORDER

Upon consideration of Donald A. Davis' unopposed motion for reconsideration of the court's order dismissing his petition for review for failure to file a Fed. Cir. R. 15(c) statement concerning discrimination, the statement now having been filed,

IT IS ORDERED THAT:

The motion is granted. The mandate is recalled, the dismissal order is vacated, and the petition for review is reinstated. Davis' brief (form enclosed) is due within 30 days of the date of filing of this order.

FOR THE COURT

NOV 12 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Donald A. Davis (informal brief form enclosed)
Elizabeth A. Holt, Esq.

s20

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

NOV 12 2009

JAN HORBALY
CLERK