

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1228

YVETTE M. HILL,

Plaintiff-Appellant,

v.

John E. Potter, POSTMASTER GENERAL, UNITED STATES POSTAL SERVICE,
and UNITED STATES POSTAL SERVICE,

Defendants-Appellees.

Appeal from the United States District Court for the Central District of California
in case no. 06-CV-7051, Judge Philip S. Gutierrez.

ON MOTION

ORDER

This appeal, the Postmaster General's motion to dismiss, and Yvette M. Hill's motion for leave to file her brief out of time were recently transferred to this court by the United States Court of Appeals for the Ninth Circuit.

Because the parties have not stipulated pursuant to Fed. Cir. R. 28(h) to proceed on Hill's brief filed in the Ninth Circuit, briefing in this court shall proceed.

Accordingly,

IT IS ORDERED THAT:

(1) The motion to dismiss and motion for leave to file the appellant's brief out of time are moot.

(2) Hill's brief is due no later than June 1, 2009.

FOR THE COURT

APR 1 2009

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

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

cc: David Kyle, Esq.
Elizabeth A. Holt, Esq.

APR 01 2009

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JAN HORBALY
CLERK