

NOTE: This order is nonprecedential.

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

KELLY S. JENNINGS,
Petitioner,

v.

SOCIAL SECURITY ADMINISTRATION,
Respondent.

2009-3127

Petition for review of the Merit Systems Protection Board in CB7521070026-T-1.

ON MOTION

Before RADER, *Chief Judge.*

O R D E R

Kelly S. Jennings moves to compel the Merit Systems Protection Board to file a corrected certified index. The Social Security Administration opposes. Jennings moves for leave to respond. The Social Security Administration responds.

Jennings' submissions concern the merits of his case. Any such arguments should have been included in the briefs.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) Jennings' motion for leave to respond is granted.
- (2) The motion to compel the Board to file a corrected certified list is denied.
- (3) The joint appendix is due within 14 days of the date of filing of this order. No further extensions.

FOR THE COURT

JUL 28 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Norman H. Jackman, Esq.
Austin M. Fulk, Esq.

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

JUL 28 2010

JAN HORBALY
CLERK