

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-3135

KENNETH M. PEDELEOSE,

Petitioner,

v.

DEPARTMENT OF DEFENSE,

Respondent.

Petitioner for review of the Merit Systems Protection Board in  
AT0752060350-R-1.

ON MOTION

Before NEWMAN, Circuit Judge.

## ORDER

Douglas Kinan moves for leave to file a brief amicus curiae in support of the  
Kenneth M. Pedeleose. The Department of Defense opposes.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

**MAY 19 2009**

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Kenneth M. Pedeleose  
Michael N. O'Connell, Esq.  
Douglas Kinan  
s19

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

**MAY 19 2009**

**JAN HORBALY  
CLERK**