

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-3162

EARTHA P. JOHNSON,

Petitioner,

v.

OFFICE OF PERSONNEL MANAGEMENT,

Respondent.

Petition for review of the Merit Systems Protection Board
in DC844E080501-I-1.

ON MOTION

ORDER

The Office of Personnel Management submits a motion to dismiss this petition for review as untimely filed.

The court dismissed this petition on June 3, 2009.

Accordingly,

IT IS ORDERED THAT:

The motion is moot.

FOR THE COURT

JUN - 9 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

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

cc: Eartha P. Johnson
Richard P. Schroeder, Esq.

s8

JUN 09 2009

JAN HORBALY
CLERK