

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-3215

MARK ORTEGA,

Petitioner,

v.

DEPARTMENT OF HOMELAND SECURITY,

Respondent.

Petition for review of the Merit Systems Protection Board in
CH0752080656-I-1.

ON MOTION

ORDER

Mark Ortega moves without opposition (1) for reconsideration of the court's December 17, 2009 order dismissing his petition for review for failure to file a brief and (2) for an extension of time to file his brief.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion for an extension of time is granted. The motion for reconsideration will be granted, the mandate will be recalled, and the petition will be reinstated if Ortega files his brief within 40 days of the date of filing of this order.

FOR THE COURT

MAR 01 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Lawrence A. Berger, Esq.
Austin M. Fulk, Esq.

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

MAR 01 2010

JAN HORBALY
CLERK