

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-3219

KENNETH TOMPKINS,

Petitioner,

v.

UNITED STATES POSTAL SERVICE,

Respondent.

Petition for review of the Merit Systems Protection Board in
AT0752090033-I-1.

ON MOTION

Before PROST, Circuit Judge.

ORDER

The United States Postal Service (USPS) moves for an extension of time to file its brief. Kenneth Tompkins moves to withdraw the informal brief filed on June 29, 2009 and moves for an extension of time, until September 28, 2009, to file a formal brief.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) Tompkins' motion for leave to withdraw his informal brief and for an extension of time to file a formal brief is granted.

(2) USPS' motion for an extension of time is moot. USPS should calculate the due date for its brief from the date of service of Tompkins' formal brief.

FOR THE COURT

AUG 31 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Wayne A.J. Wattley, Esq.
Michelle A. Windmueller, Esq.

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

AUG 31 2009

JAN HORBALY
CLERK