

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-5118

PHU MANG PHANG,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

Appeal from the United States Court of Federal Claims in 08-CV-647,
Chief Judge Emily C. Hewitt.

ON MOTION

ORDER

Phu Mang Phang moves to reinstate this appeal.

Phang's submitted a formal opening brief which did not include a statement of related cases and a copy of the decision on appeal from the United States Court of Federal Claims. Phang also failed to submit the required 12 copies of a formal brief. On January 4, 2010, this court notified Phang of its rejection of the brief and directed Phang to file a corrected brief within 14 days. On March 2, 2010, the court dismissed this appeal for Phang's failure to file a corrected opening formal brief.

The court will treat Phang's opening brief as an informal brief and waive the deficiencies in the submission.

Accordingly,

IT IS ORDERED THAT:

(1) The court treats Phang's opening brief as an informal brief and accepts it for filing.

(2) The motion for reinstatement is granted. The mandate is recalled, the dismissal order is vacated, and the appeal is reinstated.

FOR THE COURT

APR 30 2010
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: Phu Mang Phang
Christopher A. Bowen, Esq.

s19

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

APR 30 2010

JAN HORBALY
CLERK