

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2010-3048

SUSAN M. BARELA,

Petitioner,

v.

DEPARTMENT OF THE NAVY,

Respondent.

Petition for review of the Merit Systems Protection Board  
in case no. DC1221090641-W-1.

ON MOTION

ORDER

The court treats the petitioner's submission, received on January 20, 2010, as a motion for reconsideration of the order dismissing her petition for review for failure to file a Fed. Cir. R. 15(c) statement concerning discrimination.

A petitioner is required to complete the court's form to indicate whether or not her case involved discrimination at the Merit Systems Protection Board. Fed. Cir. R. 15(c). Because the petitioner did not file this form, the court entered the dismissal order.

Upon consideration thereof,

IT IS ORDERED THAT;

(1) The mandate will be recalled, the motion for reconsideration will be granted, the dismissal order will be vacated, and the petition for review will be reinstated if the court receives a properly completed Fed. Cir. R. 15(c) statement within 21 days of the date of filing of this order.

(2) The petitioner's informal brief is also due within 21 days of the date of filing of this order.

FOR THE COURT

FEB 16 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Susan M. Barela (Fed. Cir. R. 15(c) form, and informal  
brief form, enclosed)  
Karen Goff, Esq.

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

FEB 16 2010

JAN HORBALY  
CLERK