

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**JOHN-PIERRE BANEY,**  
*Petitioner,*

v.

**MERIT SYSTEMS PROTECTION BOARD,**  
*Respondent,*

and

**DEPARTMENT OF JUSTICE,**  
*Intervenor.*

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2010-3097

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Petition for review of the Merit Systems Protection Board in case no. DA1221090479-W-1.

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**ON MOTION**

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**ORDER**

John-Pierre Baney moves for leave to proceed in forma pauperis. The Merit Systems Protection Board moves to stay the briefing schedule until Baney pays the docketing fee or is granted leave to proceed in forma pauperis.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) Baney's motion for leave to proceed in forma pauperis is denied. Baney must pay the \$450 fee within 14 days of the date of filing of this order or the petition for review will be dismissed.

(2) The Board's motion to stay proceedings is granted. The briefs of the Board and the Department of Justice are due within 21 days of the date Baney pays the fee.

FOR THE COURT

SEP 10 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: John-Pierre Baney  
Stephanie Conley, Esq. (copy of Baney's informal brief enclosed)  
Courtney S. Mcnamara, Esq.

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

SEP 10 2010

JAN HORBALY  
CLERK