

NOTE: This order is nonprecedential.

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

DONNA MARIE CONNER,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2010-5106

Appeal from the United States Court of Federal
Claims in case no. 09-CV-880, Senior Judge Robert H.
Hodges, Jr.

ON MOTION

Before LOURIE, *Circuit Judge.*

ORDER

Donna Marie Conner requests that her case be selected for mediation. The United States moves for an extension of time to file its brief. Conner opposes. Conner submits a document titled "Rule 8(a)(a) Motion for Injunction Against Department of Justice . . . /Reply to Defendants." The United States moves for an extension of time to respond to Conner's motion.

With respect to Conner's request that her case be selected for mediation, Conner's case is not eligible for the court's mediation program. Only cases where all parties are represented by counsel are eligible for the program. See Appellate Mediation Program Guideline 2. Thus, the request is denied.

Conner's motion requesting an injunction appears to primarily consist of arguments responding to the brief of the United States. Conner also seeks an injunction "for removing my case from the Department of Justice and back to the U.S. Court of Appeals for the Federal Circuit, so that case can advance."

Conner's case is presently before this court and not before the Department of Justice. The Department of Justice represents the United States in this case, but this court will issue a decision in this case. Thus, Conner's motion for an injunction is moot and her submission will be treated as her reply brief.

Accordingly,

IT IS ORDERED THAT:

(1) Conner's request that her case be selected for mediation is denied.

(2) The United States' motion for an extension of time to file its brief is granted.

(3) Conner's motion for an injunction is moot. Her submission will be treated as her reply brief. A copy of Conner's submission and this order will be transmitted to the merits panel assigned to decide this case.

(4) The United States' motion for an extension of time to respond to Conner's motion is moot.

FOR THE COURT

SEP 09 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Donna Marie Conner
Russell J. Upton, Esq.

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

SEP 09 2010

JAN HORBALY
CLERK