

NOTE: This order is nonprecedential.

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

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**RANDOLPH CREWS,**  
*Plaintiff-Appellant,*

v.

**UNITED STATES,**  
*Defendant-Appellee.*

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2010-5151

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Appeal from the United States Court of Federal  
Claims in case no. 08-CV-068, Senior Judge Bohdan A.  
Futey.

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**ON MOTION**

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**O R D E R**

Randolph Crews moves for leave to proceed in forma  
pauperis. The court treats Crews' submission as a motion  
for reconsideration of the court's order dismissing this  
appeal for failure to pay the filing fee.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion for leave to proceed in forma pauperis is granted.

(2) The motion for reconsideration is granted. The October 4, 2010 dismissal order is vacated, the appeal is reinstated, and the mandate is recalled.

(3) The United States should calculate the due date for its brief from the date of filing of this order.

FOR THE COURT

JAN 19 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Randolph Crews  
Christopher L. Krafchek, Esq.

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

JAN 19 2011

JAN HORBALY  
CLERK