

NOTE: This order is nonprecedential.

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

FABIAN M. ROSIMO,
Petitioner,

v.

OFFICE OF PERSONNEL MANAGEMENT,
Respondent.

2011-3090

Petition for review of the Merit Systems Protection Board in case no. SF0831100613-I-1.

ON MOTION

O R D E R

Fabian M. Rosimo moves for leave to proceed in forma pauperis. The court treats Aquino's submission as a motion for reconsideration of the May 3, 2011 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 court's May 3, 2011 dismissal order is vacated, and the petition is reinstated.

(3) Rosimo's brief is due within 45 days of the date of filing of this order.

FOR THE COURT

MAY 26 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Fabian M. Rosimo (Informal Brief Form Enclosed)
Shelly D. Weger, Esq.

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

MAY 26 2011

JAN HORBALY
CLERK