

NOTE: This order is nonprecedential.

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

---

**CHARLES G. JOHNSON,**  
*Petitioner,*

v.

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

---

2011-3130

---

Petition for review of the Merit Systems Protection Board in case no. DE0353100501-I-1.

---

**ON MOTION**

---

**O R D E R**

The United States Postal Service moves to reform the caption to name the Merit Systems Protection Board as the respondent.

Pursuant to 5 U.S.C. § 7703(a)(2), the Board is designated as the respondent when the Board's decision concerns the procedure or jurisdiction of the Board. The employing agency is designated as the respondent when the Board reaches the merits of the underlying case.

Accordingly,

IT IS ORDERED THAT:

(1) The motion is granted. The revised official caption is reflected above.

(2) The Board's brief is due within 21 days from the date of filing of this order.

FOR THE COURT

AUG 04 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Charles G. Johnson  
Lartease M. Tiffith, Esq.  
Jeffrey A. Gauger, Esq. (informal brief enclosed)

s19

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

AUG 04 2011

JAN HORBALY  
CLERK