

NOTE: This order is nonprecedential.

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

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**FLORENCIA A. ABIERA,**  
*Petitioner,*

v.

**OFFICE OF PERSONNEL MANAGEMENT,**  
*Respondent.*

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2011-3193

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Petition for review of the Merit Systems Protection Board in case no. SF0831100609-I-1.

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**ON MOTION**

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**ORDER**

The petitioner, Florencia A. Abiera, submits her response to the October 4, 2011 "Overdue Informal Brief" that she received from this court. Abiera states that "I already submitted my Informal Brief in September 2011...I therefore had timely complied with the court's requirement." The court notes that the court has not received the petitioner's informal brief filed in September 2011 and per a telephone conversation, counsel for the

respondent has confirmed that they do not have a copy of the brief.

The court dismissed Abiera's petition for review on January 18, 2012 for failure to file a brief.

Upon consideration thereof,

IT IS ORDERED THAT:

The court's January 18, 2012 dismissal order will be vacated, the mandate will be recalled, and the petition for review will be reinstated if Ms. Abiera files an original and three copies of her informal brief within 60 days of the date of filing of this order.

FOR THE COURT

FEB 10 2012

Date

/s/ Jan Horbaly

Jan Horbaly.

Clerk

cc: Florencia A. Abiera  
Austin M. Fulk, Esq.

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

FEB 10 2012

JAN HORBALY  
CLERK