

NOTE: This order is nonprecedential.

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

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**GERALD D. GOMEZ,**  
*Petitioner,*

v.

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

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2011-3205

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Petition for review of the Merit Systems Protection Board in case no. NY0752100238-I-1.

**O R D E R**

On September 9, 2011, this court dismissed Gomez's petition for review for failing to pay the court's docketing fee. On November 17, 2011, this court granted Gomez's motion for leave to proceed in forma pauperis.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The court's September 9, 2011 dismissal order is vacated, the mandate is recalled, and the petition is reinstated.

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

FOR THE COURT

NOV 23 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Gerald D. Gomez  
Jeanne E. Davidson, Esq.

s21

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

NOV 23 2011

JAN HORBALY  
CLERK