

NOTE: This order is nonprecedential.

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

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**DEBORAH MECKLER**  
(Executrix of the Estate of Alton B. Hornback),  
*Plaintiff-Appellant,*

v.

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

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2011-5040

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Appeal from the United States Court of Federal Claims in case no. 10-CV-384, Judge Christine O.C. Miller.

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**ON MOTION**

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**O R D E R**

Deborah Meckler moves without opposition to be substituted for Alton B. Hornback pursuant to Fed. R. App. P. 43(a). Meckler also moves without opposition for an extension of time of thirty days to file the opening brief in this appeal. Hornback's opening brief would have been due on March 11, 2011.

Pursuant to Rule 43(a), a decedent's personal representative may be substituted as a party. Meckler states that she is the executrix of Hornback's estate. Hornback passed away in the weeks following the docketing of his pro se appeal to this court.

Accordingly,

IT IS ORDERED THAT:

(1) Meckler's motion to substitute is granted. The revised official caption is reflected above.

(2) Meckler's opening brief is due within 30 days from the date of filing of this order.

FOR THE COURT

MAR 18 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Susan L.C. Mitchell, Esq.  
Phillip Bennett, Esq.

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

**MAR 18 2011**

**JAN HORBALY**  
**CLERK**