

.NOTE: This order is nonprecedential.

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

---

**EUGENE A. FISCHER,**  
*Plaintiff-Appellant,*

v.

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

---

2011-5047

---

Appeal from the United States Court of Federal  
Claims in 10-CV-018, Judge Christine O.C. Miller.

---

**ON MOTION**

---

**O R D E R**

Eugene A. Fischer moves to withdraw his appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion is granted. The appeal is dismissed.
- (2) Any other pending motions are denied as moot.
- (3) Each side shall bear its own costs.

FOR THE COURT

APR 22 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Eugene A. Fischer  
Russell A. Shultis, Esq.

s20

Issued As A Mandate: APR 22 2011

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

**ARR 22 2011**

**JAN HORBALY**  
**CLERK**