

NOTE: This order is nonprecedential.

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

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**KATHLEEN DUNCAN,**  
*Plaintiff-Appellant,*

v.

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

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2011-5066

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Appeal from the United States Court of Federal Claims in case no. 10-CV-698, Judge Christine O.C. Miller.

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**ON MOTION**

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**O R D E R**

Kathleen Duncan moves for leave to proceed in forma pauperis, which the court treats as her response to the May 23, 2011 order.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The May 23, 2011 dismissal order is vacated, the mandate is recalled and the appeal is reinstated.

(2) The motion for leave to proceed in forma pauperis is granted.

(3) The United States should calculate the due date for its brief from the date of filing of this order.

FOR THE COURT

JUN 22 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Kathleen Duncan  
Joshua A. Mandlebaum, Esq.

s21

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

JUN 22 2011

**JAN HORBALY**  
**CLERK**