

NOTE: This order is nonprecedential.

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

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**D.J. MILLER & ASSOCIATES, INC.,**  
*Appellant,*

v.

**KATHLEEN SEBELIUS, SECRETARY OF HEALTH  
& HUMAN SERVICES,**  
*Appellee.*

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2012-1314

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Appeal from the Armed Services Board of Contract Appeals in no. 55357, Administrative Judge Reba Page.

**O R D E R**

This appeal was docketed on April 11, 2012. The appellant filed a motion for leave to proceed in forma pauperis, which was denied on May 22, 2012 and the appellant was ordered to pay the docketing fee within 14 days. The court did not receive the filing fee.

Upon consideration thereof,

IT IS ORDERED THAT:

This appeal is dismissed for failure to prosecute. Any pending motions are denied as moot.

FOR THE COURT

AUG 22 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Eric Scott Jaffe, Esq.

Tara K. Hogan, Esq.

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Issued As A Mandate: AUG 22 2012

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

AUG 22 2012

JAN HORBALY  
CLERK