

NOTE: This order is nonprecedential.

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

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**MARCUS A. MALONE,**  
*Petitioner,*

v.

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

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2012-3036

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Petition for review of the Merit Systems Protection Board in case no. CH1221110078-W-1.

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**ON MOTION**

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**O R D E R**

Marcus A. Malone submits his "Informal Brief for Petitioner" to the court on the improper form and out of time. The court treats Malone's submission as a motion for reconsideration of the March 7, 2012 order dismissing his petition for failure to file a brief.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion for reinstatement will be granted, the dismissal order will be vacated, the mandate will be recalled, and the petition will be reinstated, if Malone files his informal brief using Federal Circuit Form 11 (form enclosed) within 30 days of the date of filing of this order.

FOR THE COURT

MAR 19 2012

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Marcus A. Malone (Informal Brief Form Enclosed)  
Katherine M. Smith, Esq.

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

MAR 19 2012

JAN HORBALY  
CLERK