

NOTE: This order is nonprecedential.

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

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**RHODERICK D. HALL,**  
*Petitioner,*

v.

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

AND

**UNITED STATES POSTAL SERVICE,**  
*Intervenor.*

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2012-3063

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Petition for review of the Merit Systems Protection Board in case no. AT0752110116-I-1.

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**ON MOTION**

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**ORDER**

The United States Postal Service moves to reform the caption to name the Merit Systems Protection Board as the respondent and for leave to intervene.

Pursuant to 5 U.S.C. § 7703(a)(2), the Board is designated as the respondent when the Board's decision concerns the procedure or jurisdiction of the Board. In this case, the Board dismissed the appeal for lack of jurisdiction. Thus, the Board is the proper respondent in this petition for review.

Accordingly,

IT IS ORDERED THAT:

The motion to reform the official caption and to intervene is granted. The revised official caption is reflected above. The Board and the USPS should calculate the due date for their briefs from the date of filing of this order.

FOR THE COURT

APR 11 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Rhoderick D. Hall  
Renee A. Gerber, Esq.  
Jeffrey Gauger, Esq. (Petitioner's Informal Brief enclosed)

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

APR 11 2012

JAN HORBALY  
CLERK