

NOTE: This order is nonprecedential.

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

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**CARL FOX,**  
*Petitioner,*

v.

**DEPARTMENT OF DEFENSE,**  
*Respondent.*

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2012-3078

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Petition for review of the Merit Systems Protection Board in case no. CH0752110659-I-1.

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**ON MOTION**

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**O R D E R**

Carl Fox moves to reinstate his petition for review.

On March 7, 2012, this court dismissed Fox's petition for failing to (1) pay the court's docketing fee and (2) file a Fed. Cir. R. 15(c) statement concerning discrimination.

Upon consideration thereof,

IT IS ORDERED THAT:

The court's March 7, 2012 dismissal order will be vacated, the mandate will be recalled, and the motion will be granted if Fox (1) files his 15(c) statement and (2) pays the court's docketing fee or files a completed motion for leave to proceed in forma pauperis form within 30 days from the date of filing of this order.

MAY 22 2012

Date

FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Carl Fox (15(c) form and IFP form enclosed)  
P. Davis Oliver, Esq.

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

MAY 22 2012

JAN HORBALY  
CLERK