

NOTE: This order is nonprecedential.

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

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**SAMUEL J. MAY, dba Soft Planet Synergy, LLC,**  
*Plaintiff-Appellant*

v.

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

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2023-1124

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Appeal from the United States Court of Federal Claims  
in No. 1:21-cv-01496-CNL, Judge Carolyn N. Lerner.

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**O R D E R**

The appellant having failed to pay the docketing fee required by Federal Circuit Rule 52(a)(1) within the time permitted by the rules, it is

ORDERED that the notice of appeal be, and the same hereby is, **DISMISSED**, for failure to prosecute in accordance with the rules.

FOR THE COURT

December 2, 2022

Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court

**ISSUED AS A MANDATE:** December 2, 2022