

NOTE: This order is nonprecedential.

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

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**JAMES KELLEY,**  
*Petitioner*

v.

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

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2026-1435

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Petition for review of the Merit Systems Protection Board in No. DC-0752-19-0340-B-1.

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**O R D E R**

The petitioner having failed to file the brief required by Federal Circuit Rule 31(d) within the time permitted by the rules, it is

ORDERED that the petition for review be, and the same hereby is, DISMISSED, for failure to prosecute in accordance with the rules.

FOR THE COURT

June 1, 2026  
Date



Jarrett B. Perlow  
Clerk of Court