

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-3048

TAMILO P. FEA,

Petitioner,

v.

DEPARTMENT OF THE ARMY,

Respondent.

Petition for review of the Merit Systems Protection Board in  
DC0752080398-I-1.

ON MOTION

## ORDER

Tamilo P. Fea moves to reinstate this petition for review.

On December 31, 2008, Fea's petition was dismissed by the court for failure to pay the docketing fee. Fea has now paid the fee.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is granted. The mandate is recalled, the December 31, 2008 order is vacated, and Fea's petition for review is reinstated.

(2) Fea's brief is due within 21 days of the date of filing of this order.

FOR THE COURT

**FEB 11 2009**

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Ariel E. Solomon, Esq.  
Allison Kidd-Miller, Esq.

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

**FEB 11 2009**

JAN HORBALY  
CLERK