

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-3075

EARL T. BARNETT

Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,

Respondent.

Petition for review of the Merit Systems Protection Board in  
PH315H080391-I-1.

ON MOTION

## ORDER

Earl T. Barnett moves for an extension of time to file his brief. The court considers whether to vacate its March 10, 2009 order dismissing Barnett's petition for review for failure to file a brief.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion for an extension of time is granted. The March 10 dismissal order will be vacated, the mandate will be recalled, and the petition for review will be reinstated if Barnett files his brief within 30 days of the date of filing of this order.

FOR THE COURT

**MAR 20 2009**

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Earl T. Bennett  
Bernard E. Doyle, Esq.

s17

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

**MAR 20 2009**

JAN HORBALY  
CLERK