

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-3133

LEONARD M. MACHULAS,

Petitioner,

v.

DEPARTMENT OF THE AIR FORCE,

Respondent.

Petition for review of the Merit Systems Protection Board in  
PH3443070282-B-1.

ON MOTION

## ORDER

Leonard M. Machulas moves for reconsideration of the court's April 9, 2009 order dismissing his petition for review for failure to submit a Fed. Cir. R. 15(c) statement concerning discrimination.

Machulas has now submitted the Rule 15(c) form.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is granted, the mandate is recalled, and the petition for review is reinstated.

(2) The Department of the Air Force should calculate the due date for its brief from the date of filing of this order.

FOR THE COURT

**APR 23 2009**

                      
Date

cc: Leonard P. Machulas  
Joseph A. Pixley, Esq.

s17

/s/ Jan Horbaly

Jan Horbaly  
Clerk

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

**APR 23 2009**

JAN HORBALY  
CLERK