

NOTE: This order is nonprecedential.

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

BENZENA M. BROWN,
Petitioner,

v.

DEPARTMENT OF DEFENSE,
Respondent.

2009-3191

Petition for review of the Merit Systems Protection Board in SF0752070771-B-1.

O R D E R

Benzena M. Brown submits a Fed. Cir. R. 15(c) statement concerning discrimination. The court considers whether reconsideration of the order dismissing Brown's petition for review is warranted.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The court grants reconsideration of the order dismissing Brown's petition for review. The mandate is recalled and the petition is reinstated.

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

FOR THE COURT

JUN 14 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Benzana M. Brown
Patryk J. Drescher, Esq.

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

JUN 14 2010

JAN HORBALY
CLERK