

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-3234

DARRALYN C. COUNCIL,

Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,

Respondent.

Petition for review of the Merit Systems Protection Board
in DA0752090124-I-1.

ON MOTION

Before RADER, Circuit Judge.

ORDER

Darralyn Council moves for "summary judgment."

To the extent that Council is arguing the merits of his petition for review, such arguments should be included in his brief and not in a motion.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

OCT 20 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Darralyn C. Council
Dana DeLorenzo, Esq.

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

OCT 20 2009
JAN HORBALY
CLERK