

NOTE: This order is nonprecedential.

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

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**MARK RICHARD PRASCH,**  
*Petitioner,*

v.

**OFFICE OF PERSONNEL MANAGEMENT,**  
*Respondent.*

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2012-3185

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Petition for review of the Merit Systems Protection Board in case no. AT0845110223-I-1.

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**ON MOTION**

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**O R D E R**

Mark Richard Prasch moves for leave to proceed in forma pauperis.

This court notes that this appeal was dismissed on September 25, 2012 for failure to pay the fee and for failure to submit the Federal Circuit Rule 15(c) statement. The Rule 15(c) statement was filed on October 9, 2012. We treat the Mr. Prasch's motion for leave to proceed in forma pauperis as a motion to reinstate the appeal.

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Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion for leave to proceed in forma pauperis is granted.

(2) The mandate is recalled, the court's dismissal order is vacated, and the petition is reinstated. The Office of Personnel Management should calculate its brief due date from the date of this order.

FOR THE COURT

/s/ Jan Horbaly  
Jan Horbaly  
Clerk

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