

NOTE: This order is nonprecedential.

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

LARRY BROOKS,
Petitioner,

v.

DEPARTMENT OF THE AIR FORCE,
Respondent.

2013-3033

Petition for review of the Merit Systems Protection Board in case no. AT0752120103-I-1.

ON MOTION

O R D E R

Larry Brooks moves for leave to file his corrected opening brief out of time and to reinstate his petition for review.

Upon consideration thereof,

IT IS ORDERED THAT:

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The motion is granted to the extent that the case is reopened for purposes of addressing whether this court has jurisdiction due to the Supreme Court's recent decision in *Kloeckner v. Solis*, 2012 WL 6097022, slip op. (December 10, 2012). The parties are directed to respond within 14 days concerning whether this petition should be dismissed or transferred. The briefing schedule is stayed.

FOR THE COURT

/s/ Jan Horbaly
Jan Horbaly
Clerk

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