

NOTE: This order is nonprecedential.

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

CRAIG RAGLAND,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent.

2013-3054

Petition for review of the Merit Systems Protection Board in No. PH0752120027-I-1.

ON MOTION

O R D E R

The Department of the Army moves without opposition to reform the official caption to name the Merit Systems Protection Board (Board) as respondent.

Pursuant to 5 U.S.C. § 7703(a)(2), the Board is designated as the respondent when the Board's decision concerns the procedure or jurisdiction of the Board. The employing agency is designated as the respondent when the Board reaches the merits of the underlying case. Here,

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the Board dismissed Ragland's appeal for lack of jurisdiction. Thus, the Board is the proper respondent in this petition for review.

Accordingly,

IT IS ORDERED THAT:

The motion is granted. The revised official caption is reflected above. The Board should calculate its brief due date from the date of service of the petitioner's brief.

FOR THE COURT

/s/ Jan Horbaly
Jan Horbaly
Clerk

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