

NOTE: This order is nonprecedential.

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

FRANCINE NESBARY,
Petitioner,

v.

DEPARTMENT OF THE TREASURY,
Respondent.

2014-3046

Petition for review of the Merit Systems Protection Board in No. CH-0752-13-0588-I-1.

ON MOTION

O R D E R

Francine Nesbary moves the court for an extension of time to file her principal brief. The Department of Treasury's motion to dismiss the petition is currently pending with the court.

We note that the motion to dismiss suspends the due date for the brief. Fed. Cir. R. 31(c). Thus, the motion for an extension of time is unnecessary.

Accordingly,

IT IS ORDERED THAT:

- (1) The briefing schedule is stayed.
- (2) Nesbary's motion for an extension of time to file her brief is moot. No brief is due until after disposition of the motion to dismiss, if appropriate.

FOR THE COURT

/s/ Daniel E. O'Toole

Daniel E. O'Toole
Clerk of Court