

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-3190

JOHN-PIERRE BANEY,

Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,

Respondent.

Petition for review of the Merit Systems Protection Board  
in DA1221090177-W-1.

ON MOTION

ORDER

The Department of Justice moves to reform the official caption to designate the Merit Systems Protection Board as the respondent. John-Pierre Baney submits a form requesting waiver of the requirement that he pay the docketing fee.

Pursuant to 5 U.S.C. § 7703(a)(2), the Board is designated as the respondent when the Board's decision concerns solely 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.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to reform the official caption is granted. The revised official caption is reflected above.

(2) The requirement that Baney pay the docketing fee is waived.

