

NOTE: This order is nonprecedential.

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

MATTHEW J. NASUTI,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent.

2012-3162

Petition for review of the Merit Systems Protection Board in case no. DC1221120321-W-1.

ORDER

On August 28, 2012, Matthew J. Nasuti's petition was dismissed for failure to pay the required docketing fee and to file the required Fed. Cir. R. 15(c) statement concerning discrimination. Nasuti also submits a petition for hearing en banc, which the court treats as a motion for reconsideration of the August 28 dismissal order.

The court has granted his motion to proceed in forma pauperis and has received his completed Rule 15(c) Statement Form.

Accordingly,

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IT IS ORDERED THAT:

(1) The court's August 28, 2012 order is vacated, the court's mandate is recalled, and the petition is reinstated.

(2) Nasuti's brief is due within 30 days of the date of this order.

(2) Nasuti's motion for reconsideration is denied as moot.

FOR THE COURT

OCT 01 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Matthew J. Nasuti (informal brief form enclosed)
Calvin M. Morrow, Esq.

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