

NOTE: This order is nonprecedential.

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

LAWRENCE BROTHERS,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent,

AND

DEPARTMENT OF THE ARMY,
Intervenor.

2012-3180

Petition for review of the Merit Systems Protection Board in case no. SF3151110724-I-1.

ON MOTION

ORDER

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

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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. In this case, the Board dismissed the appeal for lack of jurisdiction. Thus, the Board is the proper respondent in this petition for review.

Accordingly,

IT IS ORDERED THAT:

The motions are granted. The revised official caption is reflected above. The Board and Army's briefs are due within 21 days from the date of issuance of this order.

FOR THE COURT

/s/ Jan Horbaly
Jan Horbaly
Clerk

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