

NOTE: This order is nonprecedential.

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

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**MORRIS MAY,**  
*Plaintiff-Appellant,*

v.

**UNITED STATES,**  
*Defendant-Appellee.*

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2012-5109

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Appeal from the United States Court of Federal  
Claims in case no. 11-CV-774, Judge Susan G. Braden.

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**ON MOTION**

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**O R D E R**

The court construes Morris May's "motion to expedite" as a motion to reinstate the appeal that was dismissed for failure to file his brief, and the court treats the motion (which included a completed informal brief form) as his opening brief.

Upon consideration thereof,

IT IS ORDERED THAT:

MORRIS MAY V. US

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The mandate is recalled, the dismissal order is vacated, and the appeal is reinstated. The appellee's brief is due within 30 days of the date of this order.

FOR THE COURT

OCT 09 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Morris May  
Alexis J. Echols, Esq.

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