

NOTE: This order is nonprecedential.

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

RAKHMATULLA ASATOV,
Petitioner,

v.

DEPARTMENT OF LABOR,
Respondent.

2013-3047

Petition for review of the Merit Systems Protection Board in Nos. PH3330120390-I-1, PH3330120391-I-1, PH3330120392-I-1.

ON MOTION

O R D E R

Rakhmatulla Asatov moves for leave to proceed in forma pauperis.

The court notes that this appeal was dismissed on January 25, 2013 for failure to pay the fee and for failure to submit the Federal Circuit Rule 15(c) statement. The Rule 15(c) statement was filed on January 31, 2013. We treat

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Mr. Asatov's motion for leave to proceed in forma pauperis as a motion to reinstate the appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion for leave to proceed in forma pauperis is granted.

(2) The mandate is recalled, the court's dismissal order is vacated, and the petition is reinstated. Mr. Asatov's opening brief (form enclosed) is due within 21 days of the date of filing of this order.

FOR THE COURT

/s/ Jan Horbaly
Jan Horbaly
Clerk

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