

NOTE: This order is nonprecedential.

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

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**SYLVIA M. KITT,**  
*Petitioner,*

v.

**DEPARTMENT OF THE NAVY,**  
*Respondent.*

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2013-3100

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Petition for review of the Merit Systems Protection Board in No. AT0752110170-P-1.

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**ON MOTION**

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**O R D E R**

Sylvia M. Kitt moves for the court to rehear her case, which the court treats as a motion to reinstate her petition for review.

The court notes that her petition for review was dismissed on July 17, 2013 for failure to file her brief. The court also notes that Ms. Kitt submitted her opening brief on August 12, 2013.

SYLVIA KITT v. NAVY

2

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is granted. The mandate is recalled, the court's dismissal order is vacated, and the petition is reinstated.

(2) Ms. Kitt's opening brief is accepted for filing. The Navy should calculate the due date for its response brief from the date of filing of this order.

FOR THE COURT

/s/ Pamela J. Twiford  
Pamela J. Twiford  
Chief Deputy Clerk

s21