

NOTE: This order is nonprecedential.

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

FRANK J. PROCHAZKA,
Plaintiff-Appellee,

v.

UNITED STATES,
Defendant-Appellant.

2013-5052

Appeal from the United States Court of Federal
Claims in No. 06-CV-0827 Judge Susan G. Barden.

ON MOTION

O R D E R

The United States and Frank J. Prochazka jointly
move to voluntarily dismiss this appeal pursuant to
Federal Rules of Appellate Procedure 42(b).

Upon consideration thereof,

IT IS ORDERED THAT:

FRANK PROCHAZKA V. US

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- (1) The motion to dismiss the appeal is granted. The appeal is dismissed.
- (2) Each side shall bear its own costs.
- (3) All other pending motions are denied as moot.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk

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Issued As A Mandate: June 20, 2013