

NOTE: This order is nonprecedential.

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

CHARLES G. JOHNSON,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent.

2014-3074

Petition for review of the Merit Systems Protection Board in No. DE-0353-10-0501-B-1.

ON MOTION

O R D E R

The United States Postal Service moves to reform the official caption to name the Merit Systems Protection Board (“Board”) as the proper respondent, to stay the petition for review pending resolution of the motion to reform the caption, and for a 21-day extension of time following the disposition of these motions for the Board to file its response brief.

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. The employing agency is designated as the respondent when the Board reaches the merits of the underlying case. We determine that the Board should be designated as the respondent.

Accordingly,

IT IS ORDERED THAT:

- (1) The motions are granted. The Board's brief shall be due within 21 days of the date of this order.
- (2) The revised official caption is reflected above.

FOR THE COURT

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