

NOTE: This order is nonprecedential.

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

DENISE L. ROBINSON,
Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,
Respondent.

2014-3176

Petition for review of the Merit Systems Protection Board in No. DC-0752-0580-I-1.

ON MOTION

O R D E R

The Department of the Interior moves without opposition to reform the caption to designate the Merit Systems Protection Board (“Board”) as the respondent and for an extension of time 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. Here, the Board dismissed Denise L. Robinson's petition for lack of jurisdiction. Thus, the Board is the proper respondent in this petition for review

Upon consideration thereof,

IT IS ORDERED THAT:

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

FOR THE COURT

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