

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-3301

GARY V. GRECCO,

Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,

Respondent.

Petition for review of the Merit Systems Protection Board
in NY844E080322-I-2.

ON MOTION

ORDER

Gary V. Grecco moves to "recapture" the docketing fee and to withdraw his petition for review.

The court deposits the fees with the Treasury Department upon receipt and cannot refund the fee once it is deposited. See Practice Note following Fed. Cir. R. 52.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion to refund the docketing fee is denied.
- (2) The motion to withdraw the petition for review is granted. The petition is dismissed. Each side shall bear its own costs.

FOR THE COURT

FEB 17 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Gary V. Grecco
Calvin Morrow, Esq.

s8

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

FEB 17 2010

ISSUED AS A MANDATE: FEB 17 2010

JAN HORBALY
CLERK