

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2010-3070

THEODORE W. MAKSE,

Petitioner,

v.

OFFICE OF PERSONNEL MANAGEMENT,

Respondent.

Petition for review of the Merit Systems Protection Board  
in case no. CH0831090779-I-1.

ON MOTION

ORDER

Upon consideration of the petitioner's motion to withdraw his petition for review,\*

IT IS ORDERED THAT:

- (1) The motion is granted. The petition is dismissed.
- (2) Each side shall bear its own costs.

FOR THE COURT

FEB 24 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Theodore W. Makse  
Antonia R. Soares, Esq.

s8

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

FEB 24 2010

ISSUED AS A MANDATE: FEB 24 2010

JAN HORBALY  
CLERK

\* The petitioner also asks that the docketing fee for this petition be applied to the docketing fee for a possible future petition. If the petitioner files another petition, he may at that time request that the previous fee be applied, and the court will consider his request at that time.