

NOTE: This order is nonprecedential.

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

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**RONALD J. HERMAN,**  
*Petitioner,*

v.

**DEPARTMENT OF JUSTICE**  
*Respondent.*

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2012-3056

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Petition for review of the Merit Systems Protection  
Board in case no. DC1221100164-B-2.

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**ON MOTION**

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**O R D E R**

Ronald J. Herman moves to withdraw his petition for  
review as premature.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is granted.

(2) Each side shall bear its own costs.

FOR THE COURT

FEB 14 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Dennis L. Friedman, Esq.  
Hillary A. Stern, Esq.

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

FEB 14 2012

JAN HORBALY  
CLERK

Issued As A Mandate: FEB 14 2012