

NOTE: This order is nonprecedential.

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

DEFORREST P. BAILEY,
Petitioner

v.

OFFICE OF PERSONNEL MANAGEMENT,
Respondent

2022-2125

Petition for review of the Merit Systems Protection Board in No. AT-844E-16-0231-I-2.

ON MOTION

O R D E R

Upon consideration of Deforrest P. Bailey's motion to dismiss the above captioned appeal pursuant to Federal Rule of Appellate Procedure 42(b)(2), ECF No. 13, and the Office of Personnel Management's stipulation of dismissal with prejudice pursuant to Rule 42(b) (docketed as a motion), with each party to bear its own costs, attorney fees, and expenses, ECF No. 14,

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IT IS ORDERED THAT:

The motions are granted. The appeal is dismissed, and each side shall bear its own costs.

FOR THE COURT

January 9, 2023
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

ISSUED AS A MANDATE: January 9, 2023