

NOTE: This order is nonprecedential.

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

AL J. EVANS, JR.,
Petitioner

v.

DEPARTMENT OF HOMELAND SECURITY,
Respondent

2023-1549

Petition for review of the Merit Systems Protection Board in No. DA -1221-22-0097-W-1.

ON MOTION

O R D E R

Al J. Evans, Jr., submits a request for petition withdrawal, which the court construes as a motion to voluntarily dismiss pursuant to Federal Rule of Appellate Procedure 42(b). The government agrees that each party bear its own costs.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is granted. This petition is dismissed.

- (2) The parties shall bear their own costs.
- (3) All other pending motions are denied as moot.

FOR THE COURT

May 3, 2023
Date

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

ISSUED AS A MANDATE: May 3, 2023