

NOTE: This order is nonprecedential.

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

TIMOTHY W. BUTLER,
Petitioner

v.

DEPARTMENT OF THE ARMY,
Respondent

2023-1563

Petition for review of the Merit Systems Protection Board in No. DA-1221-19-0077-W-1.

ON MOTION

O R D E R

Timothy W. Butler moves unopposed to voluntarily dismiss this petition 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. The petition is dismissed.

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(2) Each party shall bear its own costs.

FOR THE COURT

May 9, 2023
Date

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

ISSUED AS A MANDATE: May 9, 2023