NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

ANTHONY MOORE,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2010-5144

Appeal from the United States Court of Federal Claims in case no. 10-CV-065, Judge Mary Ellen Coster Williams.

ON MOTION

PER CURIAM.

O R D E R

Anthony Moore moves for a remand and moves for the trial court to forward the record. The United States opposes. Moore replies.

Moore may include in his brief any request for remand or other relief. Moore has not established that remand is appropriate at this time. Concerning the

record, it is not necessary for the trial court to forward the record at this time. The parties may include in an appendix to their brief any relevant documents that were before the trial court.

Accordingly,

IT IS ORDERED THAT:

(1) The motions are denied. The United States' brief is due within 40 days of the date of filing of this order.

(2) Moore must either pay the $455 docketing fee within 14 days of the date of filing of this order or file a completed motion for leave to proceed in forma pauperis (forms enclosed).

FOR THE COURT

JAN 27 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: Anthony Moore (in forma pauperis form and supplemental form enclosed)
Jeffrey A. Regner, Esq.

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

JAN 27 2011

JAN HORBALY
CLERK