

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
KEVIN E. BYRNES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. Action No. 04-742 (EGS)
	)	
MERIT SYSTEMS PROTECTION BOARD,	)	
	)	
Defendant.	)	
_____	)	

**ORDER**

Pursuant to Federal Rule of Civil Procedure 58 and for the reasons stated by the Court in its Memorandum Opinion docketed this same day, it is this 2<sup>nd</sup> day of March, 2005, hereby

**ORDERED** that the federal defendant's Motion to Dismiss is **GRANTED** and that this case is **DISMISSED WITH PREJUDICE**. It is further

**ORDERED and ADJUDGED** that the Clerk shall enter final judgment in favor of defendant and shall remove this case from the active calendar of the Court.

Signed: **Emmet G. Sullivan**  
**United States District Judge**  
**March 2, 2005**