

NOTE: This disposition is nonprecedential.

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

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**DONTAY MCDAY,**  
*Petitioner*

v.

**DEPARTMENT OF HOMELAND SECURITY,  
BUREAU OF CUSTOMS AND BORDER  
PROTECTION,**  
*Respondent*

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2020-2128

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Petition for review of an arbitrator's decision by Sara Adler.

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**JUDGMENT**

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ALLISON GILES, Office of General Counsel, National Treasury Employees Union, Washington, DC, argued for petitioner. Also represented by GREGORY O'DUDEN, I, JULIE M. WILSON.

LIRIDONA SINANI, Civil Division, Commercial Litigation Branch, United States Department of Justice, Washington, DC, argued for respondent. Also represented by BRIAN M. BOYNTON, TARA K. HOGAN, ROBERT EDWARD KIRSCHMAN,

JR; ELLEN ESQUIVEL, REMY KRUMPAK United States Customs and Border Protection, Long Beach, CA.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, *Chief Judge*, PROST and TARANTO, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

August 31, 2021  
Date

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