

NOTE: This disposition is nonprecedential.

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

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**SHAMIS HARVEY,**  
*Petitioner*

v.

**MERIT SYSTEMS PROTECTION BOARD,**  
*Respondent*

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2015-3114

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Petition for review of the Merit Systems Protection Board in No. DE-315H-13-0102-B-1.

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**JUDGMENT**

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JOEL J. KIRKPATRICK, Joel J. Kirkpatrick, P.C., Plymouth, MI, argued for petitioner.

STEPHEN FUNG, Office of the General Counsel, Merit Systems Protection Board, Washington, DC, argued for respondent. Also represented by BRYAN G. POLISUK.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, O'MALLEY, and WALLACH, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

January 11, 2016  
Date

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court