

NOTE: This disposition is nonprecedential.

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

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**KEITH J. DAVIS,**  
*Petitioner*

v.

**DEPARTMENT OF THE NAVY,**  
*Respondent*

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2015-3217

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Petition for review of the Merit Systems Protection Board in No. PH-0752-12-0073-B-1.

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**JUDGMENT**

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MARSHALL J. TINKLE, Hirshon Law Group, P.C., Portland, ME, argued for petitioner.

SHARI A. ROSE, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by BENJAMIN C. MIZER, ROBERT E. KIRSCHMAN, JR., ELIZABETH M. HOSFORD.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (DYK, BRYSON, and REYNA, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

August 3, 2016  
Date

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