

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

MCCARTHY BARNES, JR.,
Petitioner

v.

DEPARTMENT OF DEFENSE,
Respondent

2016-1754

Petition for review of the Merit Systems Protection
Board in No. DC-0752-13-0357-M-1.

JUDGMENT

FREDERIC WILLARD SCHWARTZ, Law Office of Frederic
W. Schwartz, Jr., Washington, DC, argued for petitioner.

RETA EMMA BEZAK, Commercial Litigation Branch,
Civil Division, United States Department of Justice,
Washington, DC, argued for respondent. Also represented
by MARK E. PORADA, CLAUDIA BURKE, ROBERT E.
KIRSCHMAN, JR., BENJAMIN C. MIZER.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (O'MALLEY, BRYSON, and REYNA, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

January 10, 2017
Date

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