

NOTE: This disposition is nonprecedential.

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

CARLOS TORO,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2016-1960

Appeal from the United States Court of Federal Claims in No. 1:15-cv-00989-TCW, Judge Thomas C. Wheeler.

JUDGMENT

MICHAEL L. AVERY, SR., The Avery Law Firm, Falls Church, VA, argued for plaintiff-appellant.

MICHAEL ANTHONY RODRIGUEZ, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for defendant-appellee. Also represented by BENJAMIN C. MIZER, ROBERT E. KIRSCHMAN, JR., DEBORAH A. BYNUM.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

April 12, 2017
Date

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