

NOTE: This disposition is nonprecedential.

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

BRAD HABENICHT, MARLA FLYNN HABENICHT,
Plaintiffs-Appellants

v.

UNITED STATES,
Defendant-Appellee

2017-2359

Appeal from the United States Court of Federal Claims in No. 1:05-cv-00505-EGB, Senior Judge Eric G. Bruggink.

JUDGMENT

THOMAS E. REDDING, Redding & Associates, P.C., Houston, TX, argued for plaintiffs-appellants. Also represented by SALLIE W. GLADNEY.

BRUCE R. ELLISEN, Tax Division, United States Department of Justice, Washington, DC, argued for defendant-appellee. Also represented by REGINA S. MORIARTY, RICHARD E. ZUCKERMAN.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, CLEVINGER, and O'MALLEY,
Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

October 16, 2018

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner
Clerk of Court