

NOTE: This disposition is nonprecedential.

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

ROBERTO FERNANDEZ,
Petitioner

v.

DEPARTMENT OF THE ARMY,
Respondent

2018-1388

Petition for review of the Merit Systems Protection Board in No. AT-0752-12-0803-C-1.

JUDGMENT

STERLING DERAMUS, Sterling L. DeRamus Law Offices, Birmingham, AL, argued for petitioner.

DOUGLAS T. HOFFMAN, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by STEVEN J. GILLINGHAM, ROBERT EDWARD KIRSCHMAN, JR., JOSEPH H. HUNT.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, NEWMAN and DYK,
Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 13, 2019
Date

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