

NOTE: This disposition is nonprecedential.

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

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**MARK E. SANBORN,**  
*Petitioner,*

v.

**DEPARTMENT OF THE ARMY,**  
*Respondent.*

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2013-3046

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Petition for review of the Merit Systems Protection Board in No. DA315H110431-B-1.

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**JUDGMENT**

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MARK E. SANBORN, of El Paso, Texas, pro se.

DANIEL G. KIM, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, for respondent. With him on the brief were STUART F. DELERY, Acting Assistant Attorney General, JEANNE E. DAVIDSON, Director, and DEBORAH A. BYNUM, Assistant Director. Of counsel on the brief were JOHN F. LOPEZ and ALLEN THOMAS, Attorneys,

Office of the Staff Judge Advocate, United States Department of the Army, of Fort Bliss, Texas.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

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

ENTERED BY ORDER OF THE COURT

September 12, 2013  
Date

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk