

NOTE: This disposition is nonprecedential.

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

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**JUAN J. MONTELONGO,**  
*Petitioner*

v.

**DEPARTMENT OF HOMELAND SECURITY,**  
*Respondent*

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2015-3051

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Petition for review of the Merit Systems Protection Board in No. DA-0752-13-0403-I-2.

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**JUDGMENT**

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LORENZO WILSON TIJERINA, Law Office of Lorenzo W. Tijerina, San Antonio, TX, argued for petitioner.

SONIA MARIE ORFIELD, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by BENJAMIN C. MIZER, ROBERT E. KIRSCHMAN, JR., SCOTT D. AUSTIN; PAMELA B. PECK, Office of the Chief Counsel, United States Immigration and Customs Enforcement, Department of Homeland Security, Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (REYNA, TARANTO, and CHEN, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

January 11, 2016  
Date

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