

NOTE: This disposition is nonprecedential.

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

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**DAVID KERMES,**  
*Petitioner*

v.

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

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2015-3148

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Petition for review of an arbitrator's decision by Edna E.J. Francis.

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**JUDGMENT**

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JIM CALLE, Law Office of Jim E. Calle, P.C., Tucson, AZ, argued for petitioner.

CHRISTOPHER KEITH WIMBUSH, 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., ALLISON KIDD-MILLER.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, SCHALL and CHEN,  
*Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

July 14, 2016

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner  
Clerk of Court