

NOTE: This disposition is nonprecedential.

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

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**TERRY LEE SCOTT,**  
*Petitioner*

v.

**MERIT SYSTEMS PROTECTION BOARD,**  
*Respondent*

**UNITED STATES POSTAL SERVICE,**  
*Intervenor*

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2015-3210

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Petition for review of the Merit Systems Protection Board in No. AT-0752-15-0097-I-1.

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**JUDGMENT**

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KENNAN GEORGE DANDAR, Dandar & Dandar, P.A., Tampa, FL, argued for petitioner.

ERIC JOHN SINGLEY, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for intervenor. Also represented by BENJAMIN C. MIZER, ROBERT E. KIRSCHMAN, JR., CLAUDIA BURKE.

KATHERINE M. SMITH, Office of the General Counsel,  
United States Merit Systems Protection Board, Washing-  
ton, DC for respondent. Also represented by BRYAN G.  
POLISUK.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, CLEVINGER, and CHEN, *Circuit  
Judges*).

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

ENTERED BY ORDER OF THE COURT

April 6, 2017  
Date

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