

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-3045

ANTONIO T. MARTINEZ,

Petitioner,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Elaine Rodriguez-Frank, of San Juan, Puerto Rico, argued for petitioner.

Michael N. O'Connell, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. With him on the brief were Michael F. Hertz, Acting Assistant Attorney General, Jeanne E. Davidson, Director, and Kirk T. Manhardt, Assistant Director.

Appealed from: Merit Systems Protection Board

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Judgment

ON APPEAL from the Merit Systems Protection Board
in CASE NO(S). NY3443080032-I-1

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (LOURIE, RADER, and MOORE, Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED July 10, 2009

/s/ Jan Horbaly
Jan Horbaly, Clerk