

NOTE: This disposition is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2009-3070

SAMUEL L. KINSEY,

Petitioner,

v.

DEPARTMENT OF THE NAVY,

Respondent.

Neil C. Bonney, Bonney & Allenberg, P.C., of Virginia Beach, Virginia, argued for petitioner.

Scott D. Austin, Senior 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 E. Hertz, Acting Assistant Attorney General, Jeanne E. Davidson, Director, and Todd M. Hughes, Deputy Director.

Appealed from: Merit Systems Protection Board

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## Judgment

ON APPEAL from the Merit Systems Protection Board  
in CASE NO(S). DC1221070491-B-1

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED July 22, 2009

/s/ Jan Horbaly  
Jan Horbaly, Clerk