

NOTE: This disposition is nonprecedential.

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

LESTER SCHECHNER,
Petitioner,

v.

DEPARTMENT OF HOMELAND SECURITY,
Respondent.

2010-3122

Petition for review of the Merit Systems Protection Board in No. DA0752090409-I-1.

JUDGMENT

DAVID C. HOLMES, Law Offices of David C. Holmes, of Houston, Texas, argued for petitioner.

CORINNE A. NIOSI, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. With her on the brief were TONY WEST, Assistant Attorney General, JEANNE E. DAVIDSON, Director, FRANKLIN E. WHITE, JR., Assistant Director.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, SCHALL and MOORE, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 11, 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk