

NOTE: This disposition is nonprecedential.

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

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**CORY D. VOORHIS,**  
*Petitioner,*

v.

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

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2011-3221

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Appeal from the Merit Systems Protection Board in  
No. DE0752090199-I-2.

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**JUDGMENT**

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THOMAS F. MUTHER, JR., Minahan and Muther, PC, of  
Denver, Colorado, argued for petitioner.

DOMENIQUE KIRCHNER, Senior Trial Counsel,  
Commercial Litigation Branch, Civil Division, United  
States Department of Justice, of Washington, DC, argued  
for respondent. With her on the brief were STUART F.  
DELERY, Acting Assistant Attorney General, JEANNE E.  
DAVIDSON, Director, TODD M. HUGHES, Deputy Director.  
Of counsel on the brief was ROBERT P. ERBE, Immigration  
and Customs Enforcement, United States Department of  
Homeland Security, of Tucson, Arizona.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (RADER, *Chief Judge*, PROST *and* REYNA,  
*Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

August 13, 2012  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk