

NOTE: This disposition is nonprecedential.

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

JAMES D. FULBRIGHT,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2012-5021

Appeal from the United States Court of Federal
Claims in No. 10-CV-465, Judge Christine O. C. Miller.

JUDGMENT

MICHAEL D.J. EISENBERG, Law Office of Michael D.J.
Eisenberg, of Washington, DC, argued for plaintiff-
appellant.

DOUGLAS G. EDELSCHICK, Trial Attorney, Commercial
Litigation Branch, Civil Division, United States
Department of Justice, argued for the defendant-appellee.
With him on the brief were STUART F. DELERY, Acting
Assistant Attorney General, JEANNE E. DAVIDSON,
Director, and DEBORAH A. BYNUM, Assistant Director. Of
counsel on the brief was MARY E. MEEK, Litigation
Attorney, Military Personnel Branch, United States
Department of the Army, of Fort Belvoir, Virginia.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

August 10, 2012
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk