

NOTE: This disposition is nonprecedential.

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

ILLYA ERWIN,
Petitioner

v.

DEPARTMENT OF THE ARMY,
Respondent

2017-1137

Petition for review of the Merit Systems Protection Board in No. SF-1221-15-0418-W-1.

JUDGMENT

CHARLES HARRY BROWER, Honolulu, HI, argued for petitioner.

SHARI A. ROSE, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by CHAD A. READLER, ROBERT E. KIRSCHMAN, JR., ELIZABETH M. HOSFORD.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, NEWMAN and
LOURIE, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

January 16, 2018

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner
Clerk of Court