

NOTE: This disposition is nonprecedential.

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

DUANE FAIRFAX,
Petitioner

v.

DEPARTMENT OF THE ARMY,
Respondent

2021-1802

Petition for review of the Merit Systems Protection Board in Nos. DC-1221-18-0499-W-3, DC-1221-19-0257-W-2.

JUDGMENT

DANIEL MEYER, MATTHEW F. MIHALICH, Tully Rinckey PLLC, Washington, DC, argued for petitioner.

STEVEN C. HOUGH, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by BRIAN M. BOYNTON, ELIZABETH MARIE HOSFORD, PATRICIA M. MCCARTHY.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, REYNA, and HUGHES, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

April 7, 2022
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court