

Note: This disposition is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2008-3080

LESTER R. MITCHELL,

Petitioner,

v.

MERIT SYSTEMS PROTECTION BOARD,

Respondent,

and

DEPARTMENT OF COMMERCE,

Intervenor.

Lester R. Mitchell, of Memphis, Tennessee, pro se.

Calvin M. Morrow, Attorney, Office of the General Counsel, Merit Systems Protection Board, of Washington, DC, for respondent. With him on the brief were B. Chad Bungard, General Counsel, and Rosa M. Koppel, Deputy General Counsel.

Lauren S. Moore, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, for intervenor. With her on the brief were Jeffrey S. Bucholtz, Acting Assistant Attorney General, Jeanne E. Davidson, Director, and Kirk T. Manhardt, Assistant Director.

Appealed from: Merit Systems Protection Board

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## Judgment

ON APPEAL from the Merit Systems Protection Board

in CASE NO(S). AT3443070244-I-1.

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (MAYER, SCHALL and MOORE, Circuit Judges)

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED May 8, 2008

/s/ Jan Horbaly  
Jan Horbaly, Clerk