

NOTE: This disposition is nonprecedential.

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

RAUL BENCOMO,
Petitioner,

v.

DEPARTMENT OF HOMELAND SECURITY,
Respondent.

2011-3106

Petition for review of the Merit Systems Protection Board in case no. DA0752090332-I-1.

JUDGMENT

THOMAS G. ROTH, Law Offices of Thomas G. Roth, of Mountain Lakes, New Jersey, argued for petitioner.

KENNETH M. DINTZER, Assistant Director, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. On the brief were TONY WEST, Assistant Attorney General, JEANNE E. DAVIDSON, Director, TODD M. HUGHES, Deputy Director, and ALLISON KIDD-MILLER, Senior Trial Counsel. Of counsel on the brief was J. DOUGLAS WHITAKER, Immigration and Customs Enforcement, United States Department of Homeland Security, of Omaha, Nebraska.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (RADER, *Chief Judge*, LOURIE and MOORE, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

March 13, 2012
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk