

NOTE: This disposition is nonprecedential.

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

PATRICK H. CAREY,
Petitioner

v.

DEPARTMENT OF AGRICULTURE,
Respondent

2018-1479

Petition for review of the Merit Systems Protection Board in No. CH-0752-16-0423-I-3.

JUDGMENT

NORMAN JACKMAN, Jackman & Roth, LLP, Lincoln, NH, argued for petitioner.

VITO SALVATORE SOLITRO, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, argued for respondent. Also represented by CLAUDIA BURKE, ROBERT EDWARD KIRSCHMAN, JR., JOSEPH H. HUNT.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

November 7, 2018
Date

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