

NOTE: This disposition is nonprecedential.

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

CELESTINE PORTER,
Petitioner,

v.

DEPARTMENT OF THE NAVY,
Respondent.

2013-3013

Petition for review of the Merit Systems Protection Board in No. DC0752120092-I-1.

JUDGMENT

MORRIS E. FISCHER, Law Office of Morris E. Fischer, of Silver Spring, Maryland, argued for petitioner.

PHYLLIS JO BAUNACH, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. On the brief were STUART F. DELERY, Principal Deputy Assistant Attorney General, JEANNE E. DAVIDSON, Director, TODD M. HUGHES, Deputy Director, and JANE C. DEMPSEY, Trial Attorney. Of counsel was TRACEY ROCKENBACH,

Naval Litigation Office, United States Department of
Navy, of Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, CLEVINGER, and LINN, *Circuit
Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

July 18, 2013
Date

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk