

NOTE: This disposition is nonprecedential.

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

DANIEL GABINO MARTINEZ,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2016-2168

Appeal from the United States Court of Federal
Claims in No. 1:11-cv-00751-EDK, Judge Elaine Kaplan.

JUDGMENT

A. BLAIR DUNN, Western Agriculture, Resource and
Business Advocates, LLP, Albuquerque, NM, argued for
plaintiff-appellant. Also represented by DORI ELLEN
RICHARDS.

ELIZABETH ANN PETERSON, Environment and Natural
Resources Division, United States Department of Justice,
Washington, DC, argued for defendant-appellee. Also
represented by JOHN C. CRUDEN.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, MOORE and CHEN,
Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 15, 2017

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner
Clerk of Court