

The
United States
Court of Appeals
for the
Armed Forces



Clerk of the Court
United States Court of Appeals
for the Armed Forces
450 E Street, N.W.
Washington, D.C. 20442-0001

www.armfor.uscourts.gov

Overview

The United States Court of Appeals for the Armed Forces exercises worldwide appellate jurisdiction over members of the armed forces on active duty and other persons subject to the Uniform Code of Military Justice. The Court is composed of five civilian judges appointed for 15-year terms by the President with the advice and consent of the Senate.

Cases on the Court's docket address a broad range of legal issues, including constitutional law, criminal law, evidence, criminal procedure, ethics, administrative law, and national security law. Decisions by the Court are subject to direct review by the Supreme Court of the United States.

The Court, an independent tribunal established under Article I of the Constitution, . . . regularly interprets federal statutes, executive orders, and departmental regulations. The Court also determines the applicability of constitutional provisions to members of the armed forces. Through its decisions, the Court has a significant impact on the state of discipline in the armed forces, military readiness, and the rights of servicemembers. The Court plays an indispensable role in the military justice system.¹

History

Courts-martial are judicial proceedings conducted by the armed forces. The Continental Congress first authorized the use of courts-martial in 1775. From the time of the Revolutionary War through the middle of the twentieth century, courts-martial were governed by the Articles of War and the Articles for the Government of the Navy.

Until 1920, court-martial convictions were reviewed either by a commander in the field or by the President, depending on the severity of the sentence or the rank of the accused.

¹Senate Report No. 101-81, at 171 (1989).

The absence of formal review received critical attention during World War I, and the Army created an internal legal review process for a limited number of cases. Following the war, in the Act of June 4, 1920, Congress required the Army to establish Boards of Review, consisting of three lawyers, to consider cases involving death, dismissal of an officer, an unsuspended dishonorable discharge, or confinement in a penitentiary, with limited exceptions. The legislation further required legal review of other cases in the Office of the Judge Advocate General.

The military justice system under the Articles of War and Articles for the Government of the Navy received significant attention during World War II and its immediate aftermath. During the war, in which over 16 million persons served in the American armed forces, the military services held over 1.7 million courts-martial. Many of these proceedings were conducted without lawyers acting as presiding officers or counsel. Studies conducted by the military departments and the civilian bar identified a variety of problems in the administration of military justice during the war, including the potential for improper command influence.

In 1948, Congress enacted significant reforms in the Articles of War, including creation of a Judicial Council of three general officers to consider cases involving sentences of death, life imprisonment, or dismissal of an officer, as well as cases referred to the Council by a Board of Review or the Judge Advocate General. During the same period, Congress placed the Departments of the Army, Navy, and Air Force under the newly created Department of Defense. The first Secretary of Defense, James Forrestal, created a committee under the chairmanship of Professor Edmund Morgan to study the potential for unifying and revising the services' disparate military justice systems under a single code.

The committee recommended a unified system applicable to the Army, Navy, Air Force, Marine Corps, and Coast Guard. The committee also recommended that qualified attorneys serve as presiding officers and counsel, subject to limited exceptions. Numerous other changes were proposed by the committee to enhance the rights of servicemembers in the context of the disciplinary needs of the armed forces. The recommendations included creation of an independent civilian appellate court.

The committee's recommendations, as revised by Congress, became the Uniform Code of Military Justice (UCMJ), enacted on May 5, 1950. Article 67 of the UCMJ established the Court of Military Appeals as a three-judge civilian court. The Report of the House Armed Services Committee accompanying the legislation emphasized that the new Court would be "completely removed from all military influence of persuasion." The legislation became effective on May 31, 1951. In 1968, Congress redesignated the Court as the United States Court of Military Appeals.

As initially established, the Court was the final authority on cases arising under the military justice system, except for a limited number of cases considered by the Supreme Court of the United States under collateral proceedings, such as through writs of habeas corpus. In 1983, Congress authorized direct appeal to the Supreme Court of cases decided by the U.S. Court of Military Appeals, except for cases involving denial of a petition for discretionary review.

In 1989, Congress enacted comprehensive legislation to enhance the effectiveness and stability of the Court. The legislation increased the Court's membership to five judges, consistent with the American Bar Association's Standards for Court Organization. In 1994, Congress gave the Court its current designation, the United States Court of Appeals for the Armed Forces.

Appellate Review of Courts-Martial

Courts-martial are conducted under the UCMJ, 10 U.S.C. §§ 801-946, and the Manual for Courts-Martial. If the trial results in a conviction, the case is reviewed by the convening authority — the person who referred the case for trial by court-martial.

If the sentence, as approved by the convening authority, includes death, a bad-conduct discharge, a dishonorable discharge, dismissal of an officer, or confinement for one year or more, the case is reviewed by an intermediate court. There are four such courts — the Army Court of Criminal Appeals, the Navy-Marine Corps Court of Criminal Appeals, the Air Force Court of Criminal Appeals, and the Coast Guard Court of Criminal Appeals.

The Courts of Criminal Appeals review the cases for legal error, factual sufficiency, and sentence appropriateness. All other cases are subject to review by judge advocates under regulations issued by each service. After such review, the Judge Advocate General may refer a case to the appropriate Court of Criminal Appeals. The Courts of Criminal Appeals also have jurisdiction under Article 62 of the UCMJ to consider appeals by the United States of certain judicial rulings during trial. Review under Article 62 is limited to issues involving alleged legal errors.

The Court's primary jurisdictional statute is Article 67(a) of the UCMJ, which provides:

The Court of Appeals for the Armed Forces shall review the record in –

(1) all cases in which the sentence, as affirmed by a Court of Criminal Appeals, extends to death;

(2) all cases reviewed by a Court of Criminal Appeals which the Judge Advocate General orders sent to the Court of Appeals for the Armed Forces for review; and

(3) all cases reviewed by a Court of Criminal Appeals in which, upon petition of the accused and on good cause shown, the Court of Appeals for the Armed Forces has granted a review.

Under Article 67(c), the Court's review is limited to issues of law. The Courts of Criminal Appeals and the U.S. Court of Appeals for the Armed Forces also have jurisdiction to consider petitions for extraordinary relief under the All Writs Act, 28 U.S.C. § 1651.

The Supreme Court of the United States has discretion under 28 U.S.C. § 1259 to review cases under the UCMJ on direct appeal where the U.S. Court of Appeals for the Armed Forces has conducted a mandatory review (death penalty and certified cases), granted discretionary review of a petition, or otherwise granted relief. If the U.S. Court of Appeals for the Armed Forces has denied a petition for review or a writ appeal, consideration by the Supreme Court may be obtained only through collateral review (e.g., a writ of habeas corpus).

Counsel

Each Judge Advocate General has established separate appellate divisions to represent the government and the defense before the Courts of Criminal Appeals, the U.S. Court of Appeals for the Armed Forces, and the Supreme Court of the United States regardless of indigency. A servicemember whose case is eligible for review is entitled to free representation by government-furnished counsel, and also may be represented by civilian counsel provided at the servicemember's own expense.

Counsel appearing before the U.S. Court of Appeals for the Armed Forces must be admitted to the bar of the Court or obtain permission of the Court to appear in a specific case. An application for membership in the Court's bar may be obtained from the Court's website, *www.armfor.uscourts.gov*. Over 37,000 attorneys have been admitted to practice since the Court was established in 1951.

Practice and Procedure

The Court has issued Rules of Practice and Procedure, which may be obtained from the Court's website.

A servicemember who has received an adverse decision by a Court of Criminal Appeals typically will receive an accompanying notice of the opportunity to submit a petition for review of that decision within 60 days to the U.S. Court of Appeals for the Armed Forces.

A petition may be filed by a servicemember or by counsel on their behalf. Once the petition is filed, it must be supported by a supplement as provided for in the Court's rules. The supplement describes the authority for the Court's jurisdiction over the case, sets forth alleged errors of law, and provides legal arguments supporting the contention that there is "good cause" to grant review under Article 67 and the Court's rules. After the supplement is filed with the Court, the Government has an opportunity to respond. In the course of deciding whether to grant review, the Court reviews the record and the material filed by parties.

If the Court grants review, the Court will identify the specific issues that will be considered on appeal. The Court may decide to review issues set forth by a party as well as issues identified by the Court. Under the Court's practice, review of an issue requires the support of at least two of the Court's five judges.

When the Court grants review, and in cases involving mandatory review, the parties are notified of the briefing requirements under the Court's rules. In most cases, oral argument is scheduled following submission of briefs, but the Court decides a number of cases without oral argument. The Court notifies the parties of the oral argument date, and the oral argument schedule is posted on the Court's website. In a typical case, each party is given 20 minutes to present argument to the Court.

Most of the Court's oral arguments are held at its courthouse in Washington, D.C. On occasion, as part of the Court's judicial outreach program, the Court will hold arguments at law schools, military bases, and other public facilities. This practice, known as Project Outreach, was developed as part of a public awareness program to demonstrate the operation of a federal court of appeals and the military criminal justice system.

The judges regularly meet in conference to discuss recently argued cases. As a matter of custom, there is full discussion of each case followed by a tentative vote. If the Chief Judge is in the majority, the Chief Judge assigns the responsibility for drafting an opinion to a judge in the majority. If the Chief Judge is not in the majority, the next senior judge in the majority assigns the case.

After an opinion is drafted, it is circulated to all judges, who have the opportunity to concur, comment, or submit a separate opinion. After the judges have had an opportunity to express their views in writing, the opinion is released to the parties and the public.

Opinions

The official decisions of the Court have been published since 1976 by West in the Military Justice Reporter (M.J.). These reports also contain the Daily Journal of the Court's filings, summary disposition orders, and other day-to-day actions of the Court, as well as selected opinions of each of the Courts of Criminal Appeals. West also publishes annotations in the Military Justice Digest. Two online citators of military justice citations are available, Shepard's Citations, from LexisNexis, and KeyCite, from Westlaw. The Court's opinions also are available through private electronic media, such as Westlaw and Lexis. Since October 1996, opinions of the Court also have been available on the Court's website.

Prior to 1976, the opinions of the Court and the intermediate courts were published by Lawyers Co-operative Publishing Company in the Court-Martial Reports (C.M.R.). The 50 C.M.R. volumes are accompanied by a two-volume cumulative citator-index. The opinions of the Court from that era also were bound separately in 23 volumes entitled United States Court of Military Appeals (U.S.C.M.A.).

Judges

The judges of the Court sit as a single panel on all cases. Typically, all five judges participate in each case, but the Court's rules provide that a quorum is established by participation of a majority of the active judges. The Chief Judge also has discretion to call upon a former judge of the Court who is in senior judge status to sit as a senior judge if an active judge is unable to participate. If a senior judge is not available, the Chief Judge may request that the Chief Justice of the United States designate a judge of a United States Court of Appeals or United States District Court to serve with the Court.

Article 142 of the UCMJ provides that each judge "shall be appointed from civilian life." To underscore the civilian nature of the Court, the statute provides that a person may not be appointed as a judge of the Court within seven years after retirement from active duty as a commissioned officer of a regular component of an armed force.

The judges are linked to the judges of the Article III courts of appeals for purposes of compensation.

The position of Chief Judge is rotated among the judges to the most senior judge who has not previously served as Chief Judge. The Chief Judge serves in that position for five years unless his or her term as a judge expires sooner. Prior to 1992, the Chief Judge was designated by the President from among the sitting judges.

Current Judges	Judicial Oath Taken	Expiration of Term
Kevin A. Ohlson (Chief Judge)	Nov. 1, 2013	July 31, 2028
John E. Sparks, Jr.	Apr. 19, 2016	July 31, 2031
Gregory E. Maggs	Feb. 2, 2018	July 31, 2033
Liam P. Hardy	Dec. 8, 2020	July 31, 2035

Biographies of the Judges of the U.S. Court of Appeals fohe Armed Forces

Chief Judge Kevin A. Ohlson

Judge Ohlson was born and raised in Sterling, Massachusetts, and he attended Washington and Jefferson College on a four-year Army R.O.T.C. scholarship. While in college, Judge Ohlson successfully completed Air Assault training with the 101st Airborne Division at Fort Campbell, Kentucky, served as the commander of the corps of cadets, and was elected to Phi Beta Kappa.

Upon graduating from the University of Virginia School of Law in 1985, Judge Ohlson attended the U.S. Army Judge Advocate General's School. He then successfully completed Airborne training at Fort Benning, Georgia, and was placed on jump-status at his next duty assignment at Fort Bragg, North Carolina. Judge Ohlson parachuted more than 30 times and into three foreign countries – Honduras, Jordan, and Egypt.

While at Fort Bragg, Judge Ohlson prosecuted a number of criminal cases, handled administrative law matters, and served as an Article 32 (UCMJ) Investigating Officer in a multiple rape and murder case where, at trial, the defendant was sentenced to death.

At the conclusion of his four-year military tour of duty in December of 1989, Judge Ohlson became a federal prosecutor in Washington, D.C. However, in October of 1990 he volunteered to return to active duty and deployed to Saudi Arabia during Operation Desert Storm where he served as a legal advisor to the XVIII Airborne Corps Command Staff. For his service, Judge Ohlson was awarded the Bronze Star.

When he returned to the United States Attorney's Office for the District of Columbia in 1991, Judge Ohlson resumed his duties as a federal prosecutor. In 1992, however, Judge Ohlson was appointed to serve as Special Counsel to the United States Attorney. In this capacity Judge Ohlson advised two consecutive United States Attorneys on legal and policy issues.

In 1997 Judge Ohlson was appointed as Chief of Staff to the Deputy Attorney General at the Department of Justice. After four years in that position, Judge Ohlson was appointed as a member of the Board of Immigration Appeals where he served in a judicial capacity deciding appeals in immigration cases.

He later was appointed as the deputy director, and then the director, of the Executive Office for Immigration Review. In 2009 Judge Ohlson was appointed as Chief of Staff and Counselor to the Attorney General.

In this position Judge Ohlson advised the Attorney General on legal and policy issues, managed the office of the Attorney General, and handled budgetary and operational issues affecting the Department of Justice. During this period Judge Ohlson received the Attorney General's Distinguished Service Award and the Edmund J. Randolph Award.

After stepping down as Chief of Staff and Counselor to the Attorney General in 2011, Judge Ohlson became the chief of the newly created Professional Misconduct Review Unit at the Department of Justice. That office is responsible for determining whether federal prosecutors have engaged in professional misconduct and, if so, the appropriate discipline to impose.

Judge Ohlson was appointed by the President to the United States Court of Appeals for the Armed Forces on November 1, 2013. He became Chief Judge on August 1, 2021.

Judge Ohlson lives in Virginia with his wife, Dr. Carolyn Davis, and their two children, Matthew and Katherine.

Judge John E. Sparks, Jr.

President Barack Obama appointed John E. Sparks, Jr. to the United States Court of Appeals for the Armed Forces on April 8, 2016.

Judge Sparks is a native of Mount Holly, New Jersey, and enlisted in the U.S. Navy in July 1971. He was selected for the Naval Academy Preparatory School (NAPS) program and was sent to Naval Training Center Bainbridge, Maryland, for eight months of instruction. After completing the NAPS program, he received an appointment to the United States Naval Academy and began the course of instruction as a midshipman in July 1972.

Upon graduation from the Academy in June 1976, Judge Sparks accepted a commission as a second lieutenant in the United States Marine Corps. He spent the first seven years of his career as an infantry officer and held billets typical for that occupational specialty such as platoon commander, assistant operations officer, rifle company executive officer and rifle company commander. In 1983, he was accepted into the Marine Corps Excess Leave Law Program and began the study of law at the University of Connecticut School of Law. He was admitted to the

Connecticut Bar in 1986 and was certified as a Marine Corps judge advocate.

Between 1986 and 1996 Judge Sparks served in a variety of legal positions including military prosecutor, defense counsel, legal adviser to a naval hospital, three years as a military judge and two years as Military Assistant and Special Counsel to the General Counsel of the Navy. In May 1996, he was assigned to the White House to serve as a Deputy Legal Advisor to the National Security Council.

In January 1998, after twenty-three years of service to the U.S. Marine Corps, he retired and was asked by Secretary Dan Glickman, Secretary of Agriculture, to serve as his Special Assistant for Civil Rights activities and issues for the department. Judge Sparks also was instrumental in the settlement of a class action lawsuit against the department by African American farmers. In January 1999, he joined the Department of the Navy as the Principal Deputy General Counsel of the Navy where he was vested with full authority to act for and with the General Counsel in all legal matters affecting the Department of the Navy.

In December 2000, Judge Sparks joined the United States Court of Appeals for the Armed Forces as the senior legal advisor to then Judge and later Chief Judge James E. Baker. He served in that position until retirement from federal service on July 31, 2015.

Judge Sparks lives in Virginia with his wife, Wendy. They have three grown children

Judge Gregory E. Maggs

Gregory E. Maggs was appointed to the United States Court of Appeals for the Armed Forces by President Donald J. Trump on February 1, 2018.

Judge Maggs grew up in Urbana, Illinois. He is a graduate of Harvard College (1985) and Harvard Law School (1988). He was a law clerk for Justices Clarence Thomas (1991-1992) and Anthony M. Kennedy (1989-1990) of the U.S. Supreme Court and for the late Judge Joseph T. Sneed of the U.S. Court of Appeals for the Ninth Circuit (1988-1989).

Judge Maggs was a member of the George Washington University Law School faculty from 1993 until 2018. He was the Interim Dean of the law school from 2010-2011 and from 2013-2014, the Senior Associate Dean for Academic Affairs from 2008-2010, and a Co-director of the law school's National Security and U.S. Foreign Relations LL.M. program from 2011-2018.

He taught mainly in the areas of commercial law, constitutional law, and contracts, and wrote extensively on these and other subjects. By vote of the graduating class, he received the law school's Distinguished Faculty Service Award in 1997, 1998, 2004, 2005, 2011, 2012, 2013, 2014, and 2015. In 2012, the university gave him the George Washington Award for outstanding service. In 2017, he became the Arthur Selwyn Miller Research Professor of Law.

Judge Maggs served in the U.S. Army Reserve, Judge Advocate General's Corps, from 1990 until 2018. He retired in the rank of colonel upon appointment to the U.S. Court of Appeals for the Armed Forces. From 2007 to 2017, he was assigned as either a reserve trial or appellate military judge. Judge Maggs is a graduate of the U.S. Army War College, the Joint and Combined Warfighting School, the Military Judge Course, the Command and General Staff Officer Course, the Judge Advocate Officer Advanced and Basic Courses, the Air Assault School, and the Infantry Weapons Specialist Course. He was mobilized as an appellate military judge in 2007-2008. He received the Judge Advocates Association's Outstanding Career Armed Services Attorney Award in 2002.

His other past experience includes service as the reporter for the Advisory Committee on the Federal Rules of Appellate Procedure, a special master for the U.S. Supreme Court, a consultant to Independent Counsel Kenneth Starr in the Whitewater Investigation, an assistant professor of law at the University of Texas, and an assistant to the late Judge Robert H. Bork in private practice and research.

Judge Maggs lives in Virginia with his wife, Janice. They have one grown child.

Judge Liam P. Hardy

Judge Hardy joined the U.S. Court of Appeals for the Armed Forces in December 2020. He currently teaches seminars on constitutional issues arising in the military justice system as an adjunct professor at Notre Dame Law School and as a Lecturer on Law at Harvard Law School.

Prior to his nomination to the Court by President Trump, Judge Hardy served as a Deputy Assistant Attorney General in the U. S. Department of Justice's Office of Legal Counsel. The Office of Legal Counsel assists the Attorney General in his role as legal adviser to the President and the Executive Branch agencies, writing legal opinions and providing other legal advice in response to requests from the President, the Department of Justice, and other Executive Branch agencies.

Prior to serving in the Department of Justice, Judge Hardy practiced law as a litigation partner in the Washington D.C. office of Kirkland & Ellis LLP. He represented clients in a wide variety of complex litigation matters at both the trial and appellate levels and provided guidance on legislative and policy issues. Judge Hardy's litigation practice focused on a broad array of subject matters, including intellectual property disputes, class actions, mass torts, government investigations, breach of contract, and fraud.

He also advised clients on a wide range of policy issues related to constitutional and administrative law, and intellectual property rights.

Before joining Kirkland, Judge Hardy served as a law clerk to Justice Clarence Thomas of the Supreme Court of the United States, Chief Judge David B. Sentelle of the United States Court of Appeals for the District of Columbia Circuit, and Judge Margaret A. Ryan of the United States Court of Appeals for the Armed Forces. Judge Hardy holds a J.D. from the Georgetown University Law Center, an M.S. from Stanford University, and a B.S.E. from Princeton University. Prior to attending law school, Judge Hardy worked as a professionally licensed engineer, including as an aerospace engineer for the U.S. Army's Aeroflightdynamics Directorate at NASA Ames Research Center, Moffett Field, California.

Judge Hardy lives in Virginia with his wife, Jennifer, and their three children Grace, Luke, and Sarah.

Senior Judges

Walter T. Cox III
Eugene R. Sullivan
Susan J. Crawford
Andrew S. Effron
James E. Baker
Charles E. "Chip" Erdmann
Margaret A. Ryan
Scott W. Stucky

Prior Judges

Active Service

Robert E. Quinn	June 20, 1951 - Apr. 25, 1975
George W. Latimer	June 20, 1951 - May 1, 1961
Paul W. Brosman	June 20, 1951 - Dec. 21, 1955
Homer Ferguson	Apr. 9, 1956 - May 21, 1976
Paul J. Kilday	Sep. 25, 1961 - Oct. 12, 1968
William H. Darden	Nov. 13, 1968 - Dec. 29, 1973
Robert M. Duncan	Nov. 29, 1971 - July 11, 1974
William H. Cook	Aug. 21, 1974 - June 30, 1984
Albert B. Fletcher, Jr.	Apr. 30, 1975 - Sep. 11, 1985
Matthew J. Perry	Feb. 18, 1976 - Sep. 22, 1979
Robinson O. Everett	Apr. 16, 1980 - Jan. 1, 1992
Walter T. Cox III	Sep. 6, 1984 - Sep. 18, 2000
Eugene R. Sullivan	May 27, 1986 - Sep. 30, 2002
Susan J. Crawford	Nov. 19, 1991 - Sep. 30, 2006
H.F. "Sparky" Gierke	Nov. 20, 1991 - Sep. 30, 2006
Robert E. Wiss	Jan. 2, 1992 - Oct. 23, 1995
Andrew S. Effron	Aug. 1, 1996 - Sep. 30, 2011
James E. Baker	Sep. 19, 2000 - July 31, 2015
Charles E. Erdmann	Oct. 2, 2002 - July 31, 2017
Scott W. Stucky	Dec. 12, 2006 - July 31, 2021
Margaret A. Ryan	Dec. 20, 2006 - July 21, 2000

Chief Judges

Robert E. Quinn (1951 - 1971)
William H. Darden (1971 - 1973)
Robert M. Duncan (1973 - 1974)
Albert B. Fletcher, Jr. (1975 - 1980)
Robinson O. Everett (1980 - 1990)
Eugene R. Sullivan (1990 - 1995)
Walter T. Cox III (1995 - 1999)
Susan J. Crawford (1999 - 2004)
H.F. "Sparky" Gierke (2004 - 2006)
Andrew S. Effron (2006 - 2011)
James E. Baker (2011 - 2015)
Charles E. "Chip" Erdmann (2015 - 2017)
Scott W. Stucky (2017 - 2021)
Kevin A. Ohlson (2021 - present)

Courthouse

Since October 31, 1952, the Court has been located in Judiciary Square in the federal courthouse at 450 E Street, N.W., Washington, D.C. 20442-0001. The courthouse, listed on the National Register of Historic Places, was erected in 1910, and was formerly the home of the United States Court of Appeals for the District of Columbia Circuit. Persons interested in visiting the courthouse should contact the Clerk of the Court.

The Military Justice Review Panel

Article 146 of the UCMJ established a Code Committee to meet annually for the purpose of making an annual survey of the operation of the UCMJ. The 2017 National Defense Authorization Act (2017 NDAA) amended Article 146 to create the Military Justice Review Panel in place of the Code Committee. The panel is established by the Secretary of Defense and is composed of members appointed by the Secretary of Defense, the Attorney General, the Judge Advocates General of the Army, Navy, Air Force, and Coast Guard, and the Staff Judge Advocate to the Commandant of the Marine Corps. The panel conducts reviews and assessments of the implementation of amendments of the UCMJ and collects and reports sentencing data. The panel submits reports on its findings and recommendations to the Senate Armed Services Committee and the House Armed Services Committee.

Further Information

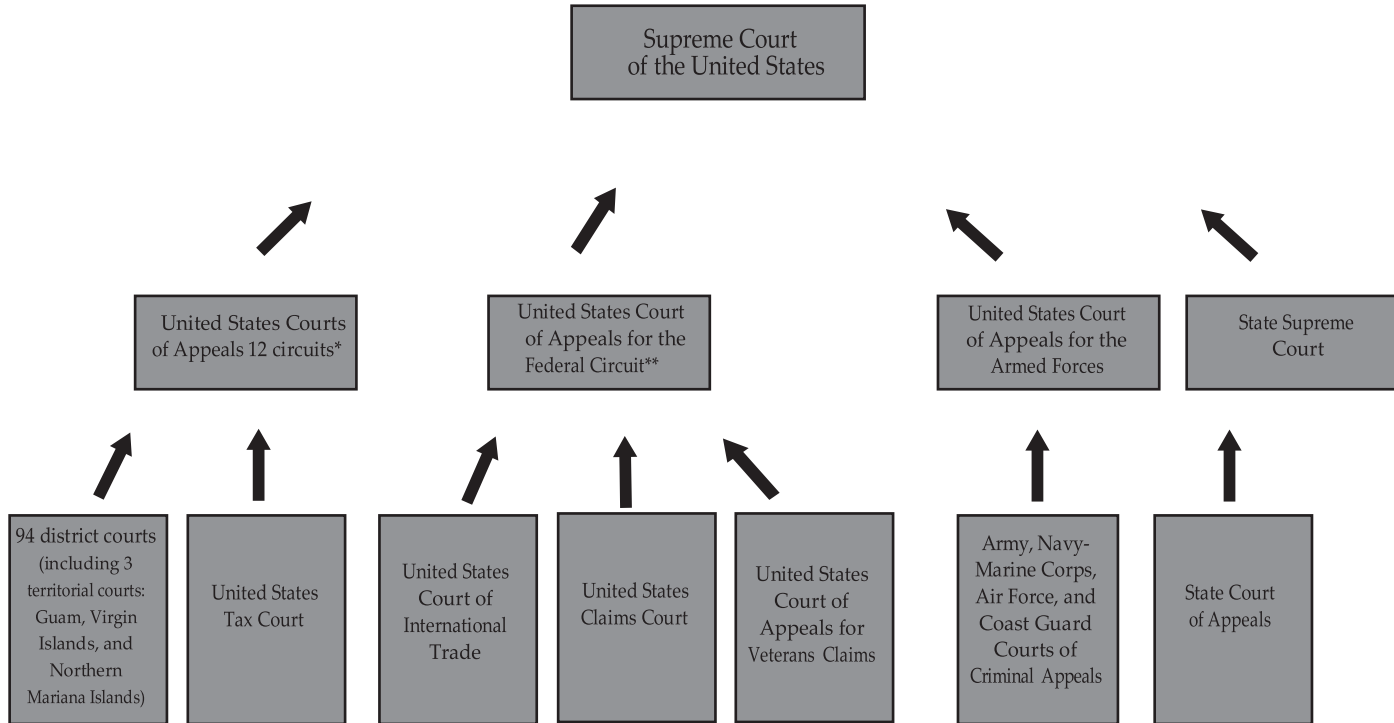
For further information about the Court, please contact:

Clerk of the Court
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Forces 450 E Street, N.W.
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Phone: (202) 761-1448
Website: www.armfor.uscourts.gov

Appendix



The United States Court System



* The 12 regional courts of appeals also review cases from a number of federal agencies.

** The Court of Appeals for the Federal Circuit also receives cases from the International Trade Commission, the Merit Systems Protection Board, the Patent and Trademark Office, and the Board of Contract Appeals.



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