

KEYWORD: Guideline E

DIGEST: Applicant’s brief does not raise an issue of harmful error by the Judge. Adverse decision affirmed.

CASENO: 15-06854.a1

DATE: 08/24/2017

DATE: August 24, 2017

In Re: ----- Applicant for Public Trust Position)))))))	ADP Case No. 15-06854
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APPEAL BOARD SUMMARY DISPOSITION

APPEARANCES

FOR GOVERNMENT

James B. Norman, Esq., Chief Department Counsel

FOR APPLICANT

Pro Se

The Department of Defense (DoD) declined to grant Applicant a trustworthiness designation. On April 16, 2016, DoD issued a statement of reasons (SOR) advising Applicant of the basis for that decision—trustworthiness concerns raised under Guideline E (Personal Conduct) of Department of Defense Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). Applicant requested a decision on the written record. On July 13, 2017, after considering the record, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Braden M. Murphy denied Applicant’s request for a trustworthiness designation. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Applicant’s brief does not raise an issue of harmful error by the Judge. Rather, it consists of information about events that have occurred since the close of the record. We cannot consider

new evidence on appeal. Directive ¶ E3.1.29. We do not review a case *de novo*. Our jurisdiction is limited to cases in which the appealing party contends that the Judge committed harmful error. *See, e.g.*, ISCR Case No. 15-01734 at 1-2 (App. Bd. Jan 19, 2017). Accordingly, the Decision is **AFFIRMED**.

Signed: Michael Ra'anan
Michael Ra'anan
Administrative Judge
Chairperson, Appeal Board

Signed: James E. Moody
James E. Moody
Administrative Judge
Member, Appeal Board

Signed: James F. Duffy
James F. Duffy
Administrative Judge
Member, Appeal Board