



F (Financial Considerations) and Guideline E (Personal Conduct) of Department of Defense Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). Applicant requested a hearing. On February 27, 2007, after the hearing, Administrative Judge Mark W. Harvey denied Applicant's request for a trustworthiness designation. Applicant filed a timely appeal pursuant to Directive ¶¶ E3.1.28 and E3.1.30.<sup>1</sup>

Applicant's appeal brief contains no assertion of harmful error on the part of the Judge. Rather, it contains new evidence, in the form of a statement from Applicant along with attachments. The Board cannot consider new evidence on appeal. Directive ¶ E3.1.29. The Appeal Board's authority to review a case is limited to cases in which the appealing party has alleged that the Judge committed harmful error, which Applicant has not done. *See* ADP Case 06-07421 at 2 (App. Bd. Apr. 16, 2007).

### **Order**

The decision of the Judge denying Applicant a trustworthiness designation is **AFFIRMED**.

Signed: Michael D. Hipple

Michael D. Hipple  
Administrative Judge  
Member, Appeal Board

Signed: William S. Fields

William S. Fields  
Administrative Judge  
Member, Appeal Board

Signed: James E. Moody

James E. Moody  
Administrative Judge  
Member, Appeal Board

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<sup>1</sup>The Judge's favorable findings under Guideline E are not at issue in this appeal.