



U.S. MERIT SYSTEMS PROTECTION BOARD

Case Report for December 27, 2019

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COURT DECISIONS

NONPRECEDENTIAL:

Griffin v. Department of the Navy, [No. 2018-2072](#) (Fed. Cir. Dec. 26, 2019) (MSPB Docket No. DC-0752-17-0169-I-1): The court affirmed the administrative judge's initial decision sustaining the appellant's demotion from his position as a criminal investigator based on the appellant's repeated traffic violations, which resulted in his loss of driving privileges. The court found that substantial evidence supported the administrative judge's finding that there was a nexus between the appellant's misconduct and the efficiency of the service because the appellant's repeated disregard for the law adversely affected the agency's mission to enforce the law as well as management's trust and confidence in his job performance. The court also affirmed the administrative judge's conclusion that the penalty of demotion was reasonable. Finally, the court rejected the appellant's claim of bias but cautioned that administrative judges should use language in their decisions that is consistent with their role as neutral arbiters.