

NOTE: This order is nonprecedential.

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

LARRY J. CANTY,
Claimant-Appellant,

v.

**ERIC K. SHINSEKI, SECRETARY OF VETERANS
AFFAIRS,**
Respondent-Appellee.

2013-7053

Appeal from the United States Court of Appeals for Veterans Claims in case no. 11-1521, Judge William A. Moorman.

ORDER

Upon review of this recently docketed appeal, it appears that Larry J. Canty's appeal was not timely filed.

On November 7, 2012, the United States Court of Appeals for Veterans Claims entered judgment in Canty's case. The court received Canty's notice of appeal on January 16, 2013, 70 days after the date of judgment.

To be timely, a notice of appeal must be received by the Court of Appeals for Veterans Claims within 60 days

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of the entry of judgment. *See* 38 U.S.C. § 7292(a); 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1).

Accordingly,

IT IS ORDERED THAT:

(1) Canty is directed to show cause, within 30 days of the date of filing of this order why this appeal should not be dismissed as untimely. The Secretary of Veterans Affairs may also respond within that time.

(2) The briefing schedule is stayed.

FOR THE COURT

/s/ Jan Horbaly
Jan Horbaly
Clerk

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