

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

DAVID W. MAYBERRY,
Claimant-Appellant,

v.

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

2011-7136

Appeal from the United States Court of Appeals for
Veterans Claims in case no. 09-2229, Judge Alan G.
Lance, Sr.

JUDGMENT

KENNETH M. CARPENTER, Carpenter, Chartered,
Topeka, Kansas, argued for claimant-appellant.

NICHOLAS JABBOUR, Trial Attorney, Commercial
Litigation Branch, Civil Division, United States
Department of Justice, of Washington, DC, argued for
respondent-appellee. With him on the brief were TONY
WEST, Assistant Attorney General, JEANNE E. DAVIDSON,
Director, and MARTIN F. HOCKEY, Assistant Director. Of
counsel on the brief were DAVID J. BARRANS, Deputy
Assistant General Counsel, and MICHAEL G. DAUGHERTY,
Attorney, United States Department of Veterans Affairs,
of Washington, DC.

THIS CAUSE having been heard and considered, it is
ORDERED and ADJUDGED:

PER CURIAM (PROST, MOORE, and WALLACH, *Circuit
Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

May 11, 2012
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk