

NOTE: This disposition is nonprecedential.

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

---

**JORGE E. ROQUE,**  
*Claimant-Appellant,*

v.

**Eric K. Shinseki, SECRETARY OF VETERANS  
AFFAIRS,**  
*Respondent-Appellee.*

---

2012-7091

---

Appeal from the United States Court of Appeals for  
Veterans Claims in No. 10-2477, Judge Alan G. Lance Sr.

---

**JUDGMENT**

---

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

MARTIN F. HOCKEY, JR., Assistant Director, Commer-  
cial Litigation Branch, Civil Division, United States  
Department of Justice, of Washington, DC, argued for  
respondent-appellee. On the brief were STUART F.  
DELERY, Principal Deputy Assistant Attorney General,  
JEANNE E. DAVIDSON, Director, and ALLISON KIDD-  
MILLER, Senior Trial Counsel. Of counsel on the brief

were MICHAEL J. TIMINSKI, Deputy Assistant General Counsel, and RACHAEL T. BRANT, Attorney, Office of General Counsel, United States Department of Veterans Affairs, of Washington, DC. Of counsel were JACOB ALDEN SCHUNK, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC; and TRACEY PARKER WARREN, Attorney, Office of General Counsel, United States Department of Veterans Affairs, of Washington, DC.

---

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (DYK, BRYSON, and WALLACH, *Circuit Judge*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

June 4, 2013  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk