

NOTE: This disposition is nonprecedential.

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

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**JOHN P. DEYOUNG,**  
*Claimant-Appellant,*

v.

**ERIC K. SHINSEKI, Secretary of Veterans Affairs,**  
*Respondent-Appellee.*

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2013-7002

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Appeal from the United States Court of Appeals for  
Veterans Claims in No. 10-3903, Judge Lawrence B.  
Hagel.

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**JUDGMENT**

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

TARA K. HOGAN, Senior Trial Counsel, Commercial  
Litigation Branch, Civil Division, United States Depart-  
ment of Justice, of Washington, DC, argued for respond-  
ent-appellee. With her on the brief were STUART F.  
DELERY, Acting Assistant Attorney General, JEANNE E.  
DAVIDSON, Director, and MARTIN F. HOCKEY, JR., Assis-  
tant Director. Of counsel on the brief were DAVID J.

BARRANS, Deputy Assistant General Counsel, and TRACEY PARKER WARREN, Attorney, United States Department of Veterans Affairs, of Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (RADER, *Chief Judge*, MOORE, and WALLACH, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

October 22, 2013  
Date

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk