

NOTE: This order is nonprecedential.

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

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**MARISSA B. POLMOUNTER,**  
*Claimant-Appellant,*

v.

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

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2013-7039

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Appeal from the United States Court of Appeals for  
Veterans Claims in No. 10-3262, Judge Alan G. Lance, Sr.

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**ON MOTION**

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PER CURIAM.

**ORDER**

Marissa B. Polmounter moves to stay proceedings in this appeal pending the outcome of her petition for a writ of mandamus before the United States Court of Appeals for Veterans Claims (Veterans Court). The Secretary of Veterans Affairs (Secretary) moves for leave to file his opposition out of time.

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It is noted that the Veterans Court has now denied Polmounter's petition for extraordinary relief, and therefore there is no basis to stay the case.

Accordingly,

IT IS ORDERED THAT:

- (1) Polmounter's motion to stay is denied.
- (2) The Secretary's motion for leave to file his response out of time is granted.
- (3) Polmounter's brief is due 30 days from the date of this order.

FOR THE COURT

/s/ Jan Horbaly  
Jan Horbaly  
Clerk

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