

NOTE: This order is nonprecedential.

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

---

**MARCUS SEBASTIAN PAYNE,**  
*Claimant-Appellant,*

v.

**SLOAN D. GIBSON, ACTING SECRETARY OF  
VETERANS AFFAIRS,**  
*Respondent-Appellee.*

---

2014-7073

---

Appeal from the United States Court of Appeals for  
Veterans Claims in No. 13-3384, Judge William A. Moor-  
man.

---

**ON MOTION**

---

PER CURIAM.

**ORDER**

Marcus Sebastian Payne moves for the court to take judicial notice of certain documents that he states were not before the Court of Appeals for Veterans Claims ("Veterans Court"). He separately moves to supplement the appendix and for leave to file a supplemental brief.

The record on appeal should only include the papers and exhibits filed in the Veterans Court. *See* Fed. R. App. P. 10(a). Although the Federal Rules of Evidence authorize judicial notice of certain documents outside of the record, the court is not persuaded that such action is warranted here. *See* Fed. R. Evid. 201. Additionally, the rules do not contemplate filing a supplemental brief. *See* Fed. R. App. P. 28.

Accordingly,

IT IS ORDERED THAT:

The motions are denied.

FOR THE COURT

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