

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-7138

JOSE G. APOLLO, SR.,

Claimant-Appellant,

v.

ERIC K. SHINSEKI,
Secretary of Veterans Affairs,

Respondent-Appellee.

Appeal from the United States Court of Appeals for Veterans Claims in
08-1029, Judge Mary J. Schoelen.

ON MOTION

Before LINN, Circuit Judge.

ORDER

Jose G. Apollo, Sr. moves "to recover all copies and exhibits filed in association with this case."

Apollo states that he understands that the court intends to destroy the copies and exhibits. It appears that Apollo is referring to a statement in the "Notice of Entry of Judgment Accompanied by Opinion" sent to him after his appeal was decided. The statement in this notice concerns disposal of exhibits and visual aids brought to the court in connection with oral argument that are left behind after argument has occurred, not exhibits included in briefs. This case was submitted on the briefs and thus there are no such exhibits and visual aids in this case. In addition, it does not appear that any exhibits were filed in connection with this case other than those included in briefs. To

the extent that Apollo seeks the return of all copies of his briefs, the motion is denied. Once submitted to the court, briefs become part of the official record of the case and cannot be returned.

Because this case is now over, any future submissions concerning this matter will be placed in the file without further response.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion is denied.
- (2) Any future submissions concerning this matter will be placed in the file without further response.

FOR THE COURT

MAY -1 2009

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: Jose G. Apollo, Sr.
Austin M. Fulk, Esq.

s17

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAY - 1 2009

**JAN HORBALY
CLERK**