

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-7058

PEDRO P. DEL ROSARIO,

Claimant-Appellant,

v.

ERIC K. SHINSEKI, Secretary of Veterans Affairs,

Respondent-Appellee.

Appeal from the United States Court of Appeals for Veterans Claims in  
06-1596, Judge Alan G. Lance, Sr.

ON MOTION

Before MAYER, Circuit Judge.

## ORDER

Upon consideration of Pedro P. Del Rosario's motion for reconsideration of the court's order dismissing his appeal for failure to file a brief,

IT IS ORDERED THAT:

(1) The motion is granted. The mandate is recalled, the dismissal order is vacated, and the appeal is reinstated.

(2) The Secretary of Veterans Affairs' brief is due within 40 days of the date of filing of this order

FOR THE COURT

JUL 17 2009

\_\_\_\_\_  
Date

\_\_\_\_\_  
*/s/ Jan Horbaly*  
Jan Horbaly  
Clerk

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

cc: Mark R. Lippman, Esq.  
Martin F. Hockey, Jr., Esq.

JUL 17 2009

s20

JAN HORBALY  
CLERK