

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-7079

WILLIE E. TURNER,

Claimant-Appellant,

v.

ERIC K. SHINSEKI,
Secretary of Veterans Affairs,

Respondent-Appellee.

Appeal from the United States Court of Appeals for Veterans Claims in
06-2827, Judge Donald L. Ivers.

ON MOTION

Before LINN, Circuit Judge.

ORDER

Upon review of Willie E. Turner's recently-docketed notice of appeal, the court considers whether Turner should be directed to show cause why his appeal should not be dismissed as untimely.

The certified list of docket entries of the United States Court of Appeals for Veterans Claims reflects that the judgment affirming the decision of the Board of Veterans' Appeals was entered on January 5, 2009. The list further reflects that Turner filed his notice of appeal on March 13, 2009, more than 60 days later. See 38 U.S.C. § 7292(a); Fed. R. App. P. 4(a)(1).

Accordingly,

IT IS ORDERED THAT:

(1) Turner is directed to show cause, within 30 days of the date of filing of this order, why his appeal should not be dismissed. The Secretary of Veterans Affairs may also respond within that time.

(2) The briefing schedule is stayed.

FOR THE COURT

MAY -1 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

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

cc: Willie E. Turner
Jeanne E. Davidson, Esq.

MAY - 1 2009

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**JAN HORBALY
CLERK**