

NOTE: This order is nonprecedential.

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

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**NATHAN L. GLENN,**  
*Claimant-Appellant,*

v.

**ERIC K. SHINSEKI, SECRETARY OF VETERANS  
AFFAIRS,**  
*Respondent-Appellee.*

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2010-7027

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Appeal from the United States Court of Appeals for  
Veterans Claims in case no. 08-1708, Judge Bruce E.  
Kasold.

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**ON MOTION**

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Before **RADER**, *Chief Judge*, **BRYSON** and **MOORE**, *Circuit  
Judges.*

PER CURIAM.

**ORDER**

The Secretary of Veterans Affairs moves to waive the  
requirements of Fed. Cir. R. 27(f) and to dismiss Nathan

L. Glenn's appeal from the United States Court of Appeals for Veterans Claims' judgment in *Glenn v. Shinseki*, 08-1708, for lack of jurisdiction.

Glenn appealed to the Court of Appeals for Veterans Claims, challenging a Board of Veterans' Appeals decision denying his application to reopen his claim for service connection for narcolepsy. The Court of Appeals for Veterans Claims affirmed the Board's decision and also concluded that the Board did not err in not adjudicating an informal claim for pension benefits, finding no evidence in the record to support a pension claim. Glenn appeals that decision to this court.

Under 38 U.S.C. § 7292, this court has limited jurisdiction over appeals from decisions of the Court of Appeals for Veterans Claims. See *Forshey v. Principi*, 284 F.3d 1335, 1338 (Fed. Cir. 2002) (en banc). This court "may not review (A) a challenge to a factual determination, or (B) a challenge to a law or regulation as applied to the facts of a particular case." 38 U.S.C. § 7292(d)(2).

In his informal brief, Glenn only challenges factual determinations regarding the medical evidence relied on by the Board. Thus, this court does not have jurisdiction over the appeal.

Accordingly,

IT IS ORDERED THAT:

- (1) The Secretary's motions to waive the requirements of Rule 27(f) and to dismiss are granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

AUG 2 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Nathan L. Glenn  
Lauren S. Moore, Esq.

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Issued As A Mandate: AUG 2 2010

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

AUG 02 2010

JAN HORBALY  
CLERK