

NOTE: This order is nonprecedential.

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

ROMANA A. GARCIA,
Claimant-Appellant,

v.

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

2010-7117

Appeal from the United States Court of Appeals for
Veterans Claims in case no. 07-2625, Chief Judge William
P. Greene, Jr.

O R D E R

Upon review of this recently docketed appeal, it appears that Romana A. Garcia's appeal was not timely filed.

On February 23, 2010, the United States Court of Appeals for Veterans Claims entered judgment in Garcia's case. The court received Garcia's notice of appeal on July 16, 2010, 143 days after the date of judgment.

To be timely, a notice of appeal must be received by the Court of Appeals for Veterans Claims within 60 days of the entry of judgment. See 38 U.S.C. § 7292(a); 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1).

Accordingly,

IT IS ORDERED THAT:

(1) Garcia is directed to show cause, within 45 days of the date of filing of this order why this appeal should not be dismissed as untimely. The Secretary of Veterans Affairs may also respond within that time.

(2) The briefing schedule is stayed.

FOR THE COURT

AUG 24 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Romana A. Garcia
Joseph A. Pixley, Esq.

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

AUG 24 2010

JAN HORBALY
CLERK