

NOTE: This order is nonprecedential

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

DONALD J. DAVIS,
Claimant-Appellant,

v.

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

2010-7130

Appeal from the United States Court of Appeals for
Veterans Claims in case no. 08-3257, Judge William A.
Moorman.

ON MOTION

ORDER

Donald J. Davis' filing of his informal brief is construed as a motion for leave to file his brief out-of-time. The Secretary of Veterans Affairs does not oppose.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted. The Secretary's informal brief is due within 21 days from the date of filing of this order.

FOR THE COURT

OCT 21 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Donald J. Davis
Alex P. Hontos, Esq.

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

OCT 21 2010

JAN HORBALY
CLERK