

NOTE: This order is nonprecedential.

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

HAROLD V. DAVIS,
Claimant-Appellant,

v.

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

2011-7063

Appeal from the United States Court of Appeals for
Veterans Claims in case no. 10-1771, Judge Mary J.
Schoelen.

ON MOTION

O R D E R

Harold V. Davis moves for expedited consideration
and appointment of counsel. This court considers
whether this appeal should be dismissed for lack of juris-
diction.

The United States Court of Appeals for Veterans Claims vacated and remanded a decision of the Board of Veterans' Appeals (Board) denying Davis' claim for entitlement to service connection for hepatitis C on December 6, 2010. That court did not consider Davis' arguments regarding denial of service connection for lymphoma, noting that the lack of a final Board decision regarding that claim rendered it beyond its scope of review. Davis filed a motion for reconsideration on December 22, 2010 with the Court of Appeals for Veterans Claims and then filed a Notice of Appeal with this court on December 29, 2010. On January 20, 2011, the Court of Appeals for Veterans Claims issued an order dismissing Davis' motion for reconsideration because the filing of a Notice of Appeal with this court divested the Court of Appeals for Veterans Claims of jurisdiction. On February 11, 2011, Davis sent a letter to this court seeking expedited consideration of his case and the appointment of counsel, followed by a subsequent letter received on February 14 reiterating his request.

Because the Court of Appeals for Veterans Claims remanded Davis' matter to the Board, its decision appears non-final. This court's jurisdiction over appeals from the Court of Appeals for Veterans Claims is limited by statute. See 38 U.S.C. § 7292. This court will generally not review remand orders or other non-final decisions from the Court of Appeals for Veterans Claims. See *Williams v. Principi*, 275 F.3d 1361, 1364 (Fed. Cir. 2002).

Davis also requests appointment of counsel. However, this court has no procedure to appoint counsel for pro se litigants. Davis is advised that pro bono counsel may be available to veterans for representation at this court through various assistance programs, including the Federal Circuit Bar Association's Veterans Pro Bono

Program. *Pro bono* counsel may also be available for representation at the Court of Appeals for Veterans Claims through the Veterans Consortium Pro Bono Program.

Accordingly,

IT IS ORDERED THAT:

(1) The parties are directed within 21 days from the date of filing of this order to show cause why this appeal should not be dismissed.

(2) Davis' motions are denied.

FOR THE COURT

FEB 25 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Harold V. Davis
Renee Gerber, Esq.

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

FEB 25 2011

JAN HORBALY
CLERK