

NOTE: This order is nonprecedential.

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

EMERITA E. WOOD
Claimant-Appellant,

v.

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

2012-7181

Appeal from the United States Court of Appeals for Veterans Claims in case no. 10-3366, Judge Robert N. Davis.

O R D E R

The United States Court of Appeals for Veterans Claims ("Veterans Court") received Emerita E. Wood's notice of appeal on August 28, 2012. Judgment was entered by the Veterans Court on March 23, 2012. As such, a total of 158 days had elapsed between judgment and receipt of the appeal.

Section 7292(a), Title 38, United States Code requires that a notice of appeal of the decision of the Veterans Court be filed within 60 days after that court's entry of judgment or order. Thus, it appears that this appeal is untimely and must be dismissed.

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Accordingly,

IT IS ORDERED THAT:

(1) Ms. Wood is directed to show cause, within the next 30 days, as to why her appeal should not be dismissed as untimely. The Secretary may also respond by that date.

(2) The briefing schedule is stayed.

FOR THE COURT

OCT 09 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Emerita E. Wood
Jeanne E. Davidson, Esq.

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