

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-7057

ROKE B. SANTOS,

Claimant-Appellant,

v.

ERIC K. SHINSEKI, Secretary of Veterans Affairs,

Respondent-Appellee.

Kenneth M. Carpenter, Carpenter, Chartered, of Topeka, Kansas, argued for claimant-appellant.

Scott D. Austin, Senior Trial Counsel, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent-appellee. With him on the brief were Tony West, Assistant Attorney General, Jeanne E. Davidson, Director, and Martin F. Hockey, Jr., Assistant Director. Of counsel on the brief were Michael J. Timinski, Deputy Assistant General Counsel, and Rachael T. Shenkman, Attorney, Office of the General Counsel, United States Department of Veterans Affairs, of Washington, DC.

Appealed from: United States Court of Appeals for Veterans Claims

Judge Donald L. Ivers

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Judgment

ON APPEAL from the United States Court of Appeals for Veterans Claims
in CASE NO(S). 07-0586

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (DYK, SCHALL, and PROST, Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED February 4, 2010

/s/ Jan Horbaly
Jan Horbaly, Clerk