

NOTE: This order is nonprecedential.

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

LIVINGSTON THOMAS, JR.,
Claimant-Appellant,

v.

**Eric K. Shinseki, SECRETARY OF VETERANS
AFFAIRS,**
Respondent-Appellee.

2013-7050

Appeal from the United States Court of Appeals for
Veterans Claims in No. 11-3297, Judge William A. Moor-
man.

ON MOTION

O R D E R

Upon consideration of Livingston Thomas, Jr.'s unop-
posed motion to withdraw his appeal,

IT IS ORDERED THAT:

- (1) The motion is granted. The appeal is dismissed.
- (2) Each side shall bear its own costs.

2

LIVINGSTON THOMAS, JR. v. SHINSEKI

FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly

Clerk

s25

ISSUED AS A MANDATE: May 28, 2013