

NOTE: This disposition is nonprecedential.

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

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**HOWARD C. MODLIN, JR.,**  
*Claimant-Appellant*

v.

**DOUGLAS A. COLLINS, SECRETARY OF  
VETERANS AFFAIRS,**  
*Respondent-Appellee*

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2023-2223

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Appeal from the United States Court of Appeals for  
Veterans Claims in No. 21-6602, Judge Joseph L. Falvey,  
Jr.

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**JUDGMENT**

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KENNETH DOJAQUEZ, Carpenter Chartered, Topeka,  
KS, argued for claimant-appellant.

ROBERT R. KIEPURA, Commercial Litigation Branch,  
Civil Division, United States Department of Justice, Wash-  
ington, DC, argued for respondent-appellee. Also repre-  
sented by PATRICIA M. MCCARTHY, LOREN MISHA PREHEIM,  
BRETT SHUMATE; TYRONE COLLIER, Y. KEN LEE, Office of

General Counsel, United States Department of Veterans  
Affairs, Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, *Chief Judge*, CLEVINGER and  
CHEN, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

May 7, 2025  
Date



Jarrett B. Perlow  
Clerk of Court