

NOTE: This order is nonprecedential.

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

---

**JOE PENA,**  
*Claimant-Appellant*

v.

**DOUGLAS A. COLLINS, Secretary of Veterans Af-  
fairs,**  
*Respondent-Appellee*

---

2025-1092

---

Appeal from the United States Court of Appeals for  
Veterans Claims in No. 24-2579, Judge Coral Wong Pi-  
etsch.

---

**ON MOTION**

---

Before TARANTO, STOLL, and STARK, *Circuit Judges*.

PER CURIAM.

**O R D E R**

Joe Pena has filed an appeal seeking review of an order of the United States Court of Appeals for Veterans Claims granting the Secretary of Veterans Affairs's motion for an extension of time to file his brief. In response to this court's

November 18, 2024 show cause order, the Secretary of Veterans Affairs urges dismissal of this appeal as premature. Mr. Pena argues against dismissal.

Under 38 U.S.C. § 7292(a), we have exclusive jurisdiction over a “decision” of the Court of Appeals for Veterans Claims. Consistent with longstanding traditions of the federal courts system and to help “avoid unnecessary piecemeal appellate review,” our cases have “generally declined to review non-final orders of the Veterans Court,” *Williams v. Principi*, 275 F.3d 1361, 1363–64 (Fed. Cir. 2002) (citations omitted), which includes an order granting an extension of time. We see no basis to depart from that approach here. Nor are we persuaded that § 7292(b)(1) serves as the jurisdictional basis for this appeal. That only applies where the Chief Judge of the Court of Appeals for Veterans Claims has certified an interlocutory order for appeal, which has not occurred here. Mr. Pena may seek this court’s review by filing a timely notice of appeal after a final decision has been entered in his case.

Accordingly,

IT IS ORDERED THAT:

- (1) The appeal is dismissed.
- (2) All pending motions are denied as moot.

PENA v. COLLINS

3

(3) Each side shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

February 27, 2025  
Date