

NOTE: This order is nonprecedential.

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

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**DONNA E. ROBERSON,**  
*Claimant-Appellant*

**v.**

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

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2025-1475

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Appeal from the United States Court of Appeals for  
Veterans Claims in No. 18-5724, Chief Judge Michael P.  
Allen.

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**DONNA E. ROBERSON,**  
*Claimant-Appellant*

**v.**

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

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2025-1493

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Appeal from the United States Court of Appeals for Veterans Claims in No. 22-6987, Judge Amanda L. Meredith.

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Before TARANTO, WALLACH, and CUNNINGHAM, *Circuit Judges*.

PER CURIAM.

### **O R D E R**

Following this court's March 14, 2025 order directing the parties to address whether the above-captioned appeals should be dismissed as untimely, the Secretary of Veterans Affairs argues the appeals should be dismissed for lack of jurisdiction. Donna E. Roberson responds, appearing to request equitable tolling of the time to appeal based on her medical condition(s).

On January 6, 2020, the United States Court of Appeals for Veterans Claims entered judgment in No. 18-5724, remanding for further proceedings before the Board of Veterans' Appeals. On remand, the Board denied relief, so Ms. Roberson again appealed to the Court of Appeals for Veterans Claims in No. 22-6987. The court entered judgment dismissing that appeal on March 13, 2024. On February 12, 2025, Ms. Roberson filed a notice of appeal appearing to seek review in both cases.

Although this court has authority to review decisions of the Court of Appeals for Veterans Claims, a notice of appeal must be received within 60 days of entry of that court's judgment. *See* 38 U.S.C. § 7292(a); 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1)(B); Fed. Cir. R. 1(a)(1)(D). And that statutory deadline is jurisdictional such that this court is not permitted to excuse Ms. Roberson's late notice based on her medical condition(s). *See Wagner v. Shinseki*, 733 F.3d

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1343, 1348 (Fed. Cir. 2013); *see also Henderson v. Shinseki*, 562 U.S. 428, 438–39 (2011).

Here, we lack jurisdiction to review either decision of the Court of Appeals for Veterans Claims at least because Ms. Roberson's notices of appeal were not filed within the 60-day deadline for appealing to this court.

Accordingly,

IT IS ORDERED THAT:

- (1) The appeals are dismissed for lack of jurisdiction
- (2) Each party shall bear its own costs in both appeals.

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

April 25, 2025  
Date