NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

JERONIMO MORENO,
Claimant-Appellant

v.

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

2026-1607

Appeal from the United States Court of Appeals for Veterans Claims in No. 25-10425, Judge Coral Wong Pietsch.

Decided: September 15, 2026

JERONIMO MORENO, San Antonio, TX, pro se.

NATALEE A. ALLENBAUGH, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, for respondent-appellee. Also represented by ERIC P. BRUSKIN, PATRICIA M. MCCARTHY, BRETT SHUMATE; KATHRYN L. BLEVINS, Y. KEN LEE, Office of General Counsel, United States Department of Veterans Affairs, Washington, DC.

Before DYK, PROST, and CUNNINGHAM, *Circuit Judges*.

PER CURIAM.

Jeronimo Moreno appeals an order of the United States Court of Appeals for Veterans Claims ("Veterans Court") denying his petition for a writ of mandamus. We *affirm*.

BACKGROUND

Mr. Moreno served honorably in the United States Marine Corps from July 1977 to July 1981. In February 2025, the regional office ("RO") granted service connection for disability benefits related to right-hand, right-knee, and left-knee conditions after a prior remand from the Veterans Court and the Board of Veterans' Appeals ("Board"). Mr. Moreno then challenged the disability rating and effective date granted for each condition, alleging clear and unmistakable error in the February 2025 decision. On October 2, 2025, the RO issued a decision finding no clear and unmistakable error in its prior decision.

Generally, a veteran may seek review of an RO decision by filing a supplemental claim, requesting higher-level review, or appealing to the Board. *See* 38 C.F.R. § 3.2500. However, instead of pursuing one of these pathways, Mr. Moreno sent a letter to the Board, asserting that the RO decision was erroneous and failed to comply with the Board's prior remand. This was not sufficient to file an appeal with the Board, which requires filing a Notice of Disagreement. *See* 38 C.F.R. § 20.202(a) ("A Notice of Disagreement must be properly completed on a form prescribed by the Secretary."). On December 12, 2025, the Department of Veterans Affairs ("VA") sent Mr. Moreno a letter stating that he had no pending claims or appeals and supplying him with information on how to seek review of the October RO decision. S. App'x 8 ("If you would like to file a decision review request option . . . you may review the

options on *VA Form 20-0998, Your Right to Seek Review of Our Decision*.")[1]

On December 22, 2025, Mr. Moreno petitioned the Veterans Court for a writ of mandamus to set aside the October RO decision. The Veterans Court denied the petition, concluding that granting the petition was inappropriate because Mr. Moreno "does not explain how he lacks adequate alternative means to obtain review of the October 2025 decision." S. App'x 5. Mr. Moreno appeals.

DISCUSSION

"This court has jurisdiction to review the [Veterans Court]'s decision whether to grant a mandamus petition that raises a non-frivolous legal question." *Beasley v. Shinseki*, 709 F.3d 1154, 1158 (Fed. Cir. 2013).

A writ of mandamus may only issue when (1) no other adequate means exist to attain the relief the party desires; (2) the party's right to issuance of the writ is clear and indisputable; and (3) the writ is appropriate under the circumstances. *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004). The Veterans Court determined that mandamus was not available here because other adequate means existed for Mr. Moreno to seek review of the RO decision, including requesting higher-level review or filing an appeal with the Board to challenge the October 2025 RO decision. We agree that mandamus was unavailable. Mr. Moreno's petition requested review of an RO decision that could have been reviewed through other established channels. We note that the appellant still has time to pursue review of the October decision because he has one year to challenge the RO decision. *See* 38 C.F.R. § 3.2500(c).

---

[1] Citations to "S. App'x" refer to the supplemental appendix filed by the government with its informal response brief. Dkt. No. 6.

We have considered Mr. Moreno's other arguments and find them unpersuasive.

AFFIRMED

COSTS

No costs.