

NOTE: This order is nonprecedential.

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

PRESTON L. SCHOFIELD,
Claimant-Appellant

v.

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

2026-1919

Appeal from the United States Court of Appeals for
Veterans Claims in No. 26-568, Chief Judge Michael P. Al-
len.

ON MOTION

Before LOURIE, PROST, and REYNA, *Circuit Judges*.

PER CURIAM.

O R D E R

In response to this court's show cause order, the Secre-
tary of Veterans Affairs urges dismissal of this appeal as
untimely. Preston L. Schofield has not responded to the
order.

The United States Court of Appeals for Veterans Claims denied Mr. Schofield's petition for mandamus on February 26, 2026, and subsequently entered judgment on March 20, 2026. On March 22, 2026, Mr. Schofield filed a motion for reconsideration, which the Court of Appeals for Veterans Claims denied on March 25, 2026. On June 2, 2026, the Court of Appeals for Veterans Claims received Mr. Schofield's notice of appeal in this matter.¹

This court lacks jurisdiction under 38 U.S.C. § 7292(a) to hear Mr. Schofield's appeal because it is untimely. Like appeals from district courts, the statutorily prescribed time for filing appeals from the Court of Appeals for Veterans Claims is jurisdictional. *See Wagner v. Shinseki*, 733 F.3d 1343, 1348 (Fed. Cir. 2013); *see also Henderson v. Shinseki*, 562 U.S. 428, 438–39 (2011) (“Because the time for taking an appeal from a district court to a court of appeals in a civil case has long been understood to be jurisdictional, th[e] language [of § 7292(a)] clearly signals an intent to impose the same restrictions on appeals from the [Court of Appeals for Veterans Claims] to the Federal Circuit.” (citation omitted)). To be timely, a notice of appeal must be filed “within the time and in the manner prescribed for appeal” from a district court to a court of appeals, which, as relevant here, is 60 days after the judgment. § 7292(a); *see* 28 U.S.C. § 2107(b); *see also* Fed. R. App. P. 4(a)(1)(B); Fed. Cir. R. 1(a)(1)(D). Even if measured from the denial of the reconsideration motion, Mr. Schofield's notice of appeal was filed outside of that window, and we must dismiss.

Accordingly,

¹ Although the notice states that Mr. Schofield appeals from a final judgment or order dated “06/02/2026,” there is no such entry on the court's docket.

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IT IS ORDERED THAT:

- (1) The appeal is dismissed.
- (2) All pending motions are denied.
- (3) Each side shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

August 26, 2026
Date