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UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

NO. 16-1133

KENNETH M. CARPENTER, PETITIONER,

v.

ROBERT A. McDONALD,
SECRETARY OF VETERANS AFFAIRS, RESPONDENT.

Before KASOLD, *Judge*.

ORDER

*Note: Pursuant to U.S. Vet. App. R. 30(a),
this action may not be cited as precedent.*

On March 31, 2016, the petitioner filed through counsel a petition for extraordinary relief in the nature of a writ of mandamus, alleging that the Secretary unlawfully withheld the petitioner's access to the Veterans Benefits Administration's (VBA's) automated claims records systems for the claimants he represents. On June 1, 2016, the petitioner informed the Court in a *Solze* notice that, as of that date, the petitioner had been granted access to the VBA automated claims records systems for the claimants he represents. *See Solze v. Shinseki*, 26 Vet.App. 299, 301 (2013) (parties have a duty to "notify the Court of developments that could deprive the Court of jurisdiction or otherwise affect its decision").

Here, because the petitioner has received the relief sought, the case or controversy before the Court no longer exists. *See Bond v. Derwinski*, 2 Vet.App. 376, 377 (1992) ("When there is no case or controversy, or when a once live case or controversy becomes moot, the Court lacks jurisdiction."); *see also Thomas v. Brown*, 9 Vet.App. 269, 271 (1996) (per curiam order) (dismissing a petition as moot when the relief sought had been attained); *Mokal v. Derwinski*, 1 Vet.App. 12, 15 (1990) (dismissing portion of petition seeking mandamus relief because controversy surrounding petition was moot).

On consideration of the foregoing, it is

ORDERED that the petition for extraordinary relief in the nature of a writ of mandamus is DISMISSED as moot.

DATED: June 10, 2016

BY THE COURT:

A handwritten signature in black ink, appearing to read "Bruce E. Kasold". The signature is written in a cursive, flowing style.

BRUCE E. KASOLD
Judge

Copies to:

Robert V. Chisholm, Esq.

VA General Counsel (027)