

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 21-2999

DAVID W. DANIELS, APPELLANT,

v.

DENIS McDONOUGH,
SECRETARY OF VETERANS AFFAIRS, APPELLEE.

ORDER

The parties have filed a joint motion for partial remand (JMPR) as to this appeal to the Board of Veterans' Appeals. As part of their motion, the parties have affirmatively waived any and all rights to appeal in this matter. It is

ORDERED that the motion for partial remand is granted. The matters identified in the JMPR are remanded, pursuant to 38 U.S.C. § 7252(a), for action consistent with the terms of the joint motion. *See Forcier v. Nicholson*, 19 Vet.App. 414, 425 (2006); *Stegall v. West*, 11 Vet.App. 268, 271 (1998). The appeal as to the remaining issue is dismissed. This order is the mandate of the Court. An application pursuant to 28 U.S.C. § 2412(d), the Equal Access to Justice Act (EAJA), for award of attorney fees and other expenses shall be submitted for filing with the Clerk not later than 30 days from the date of this order.

DATED: March 24, 2022

FOR THE COURT:

GREGORY O. BLOCK
Clerk of the Court

By: /s/ Cynthia M. Brandon-Arnold
Cynthia M. Brandon-Arnold
Chief Staff Attorney/Deputy Clerk

Copies to:

Stephanie J. Costello, Esq.

VA General Counsel (027)

brw