

*Not published*

**UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS**

No. 21-7199

BERNARD A. KERNS, 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: September 1, 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:

Montana Crow, Esq.

VA General Counsel (027)

mvl