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UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

NO. 14-3240

RICARTE A. SOLIBEN,

APPELLANT,

v.

ROBERT A. McDONALD,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before HAGEL, *Chief Judge*, and , BARTLEY and GREENBERG, *Judges*.

ORDER

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

On May 11, 2016, oral argument was held in the above matter. At the conclusion of oral argument, from the bench, the Court ordered that the Secretary inform the Court, for the period between May 23, 2014 (the date of the Board of Veterans' Appeals (Board) decision before the Court), and September 23, 2014 (the date that Ricarte A. Soliben filed his Notice of Appeal), whether VA had any regulations, rules, policies, or procedures, in place regarding the Board's process for responding to an appellant who notifies the Board that a copy of its decision has not been received due to a change in address and requests a copy of that Board decision.

In particular, the Court ordered the Secretary to inform the Court of (1) the Board's target response time to requests to mail a Board decision to a newly received address from May 1, 2014, to September 30, 2014; and (2) the average time it took the Board to respond to such requests from May 1, 2014, to September 30, 2014.

The Court also ordered the Secretary to inform the Court whether the target and average response times described above vary depending on whether the request for the Board decision was received within 120 days after the date that the Board mailed its decision and the degree of that variance, if any.

This order memorializes the Court's oral bench order.

Upon consideration of the foregoing, it is

ORDERED, that the Secretary provide an accurate response, with supporting documentation, to the Court's order not later than 30 days after the date of this order.

DATED: May 24, 2016

PER CURIAM.

Copies to:

Benjamin J. Wolinsky, Esq.

VA General Counsel (027)