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

No. 16-2035

LAWRENCE M. WATSON, APPELLANT,

v.

ROBERT L. WILKIE,  
SECRETARY OF VETERANS AFFAIRS, APPELLEE.

Before DAVIS, *Chief Judge*, and MEREDITH and TOTH, *Judges*.

**ORDER**

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

On June 10, 2016, U.S. Army Veteran Lawrence M. Watson filed a Notice of Appeal from a March 24, 2016, Board of Veterans' Appeals decision that denied his claim for entitlement to service connection for a back disability. On August 31, 2017, this case was submitted to a panel, and on November 1, 2017, the Court heard oral argument. On August 23, 2018, Mr. Watson's counsel notified the Court that Mr. Watson died on May 27, 2018. On October 24, 2018, after a 60-day stay, counsel notified the Court that she was unable to locate an eligible substitute and was "unable to ascertain whether any eligible substitutes exist."<sup>1</sup>

When an appellant dies during the pendency of an appeal for disability compensation under chapter 11 of title 38, U.S. Code, the appropriate remedy is to vacate the appealed Board decision and dismiss the appeal unless there has been an appropriate substitution by a qualified accrued-benefits claimant.<sup>2</sup> Because this appeal has become moot by virtue of Mr. Watson's death, and because the Court has not received any request that another party be substituted for the appellant, the appeal will be dismissed.<sup>3</sup>

On consideration of the foregoing, it is

ORDERED that the March 24, 2016, Board decision is VACATED, and the appeal is DISMISSED for lack of jurisdiction.

DATED: November 7, 2018

PER CURIAM.

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<sup>1</sup> Appellant's Oct. 24, 2018, Notice at 1.

<sup>2</sup> See, e.g., *Breedlove v. Shinseki*, 24 Vet.App. 7, 21 (2010) (per curiam order).

<sup>3</sup> See *id.*

Copies to:

Stacy A. Tromble, Esq.

VA General Counsel (027)