UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

RICKEY R. MITCHELL :

Appellant, :

Vet. App. No. 18-4-EAJA

v. :

ROBERT L. WILKIE :

Secretary of Veterans Affairs,

Appellee. :

APPELLANT'S APPLICATION FOR ATTORNEY FEES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT AND MEMORANDUM IN SUPPORT

Appellant moves for \$15,161.50 in attorney's fees plus costs of \$38.00 for a total award of \$15,199.50, 28 U.S.C. §2412(d)(1)(A).

Appellant was a prevailing party, appellee's position in this case was not substantially justified, and the appellant's net worth at the time the appeal was filed did not exceed \$2 million. An itemized statement detailing the time and expenses for which reimbursement is sought is attached. Appellant meets all the criteria under the statute, and the Court should award fees and costs as requested.

MEMORANDUM IN SUPPORT

To obtain an award of fees under the Equal Access to Justice Act, appellant must be a prevailing party and be eligible to receive an award, appellant must allege

that the position of the government was not substantially justified, *Bazalo v. Brown*, 9 Vet. App. 304 (1996) and there must be no special circumstances which would make an award unjust. Appellant meets all three criteria, and therefore the Court should award fees.

A "prevailing party" is one who obtains some relief on the merits, *Buckhannon Bd. & Care Home, Inc. v. W. Va. Dept. of Health & Human Resources, 532* U.S. 598, 603 (2001). Relief on the merits for EAJA purposes includes the securing of a remand to an agency where the remand requires further agency proceedings because of alleged agency error. *Former Employees of Motorola Ceramic Products v. U.S.*, 336 F.3d 1360, 1366 (Fed. Cir. 2003). The EAJA statute directs the prevailing party inquiry to fees/expenses incurred "in any civil action . . . , including proceedings for judicial review of an agency action . . . ". Therefore, the party "prevails" by obtaining the remand which meets the requirements of *Motorola*, and whether or not the party ultimately prevails on remand on the merits of his benefits claim is wholly irrelevant. *Kelly v. Nicholson*, 463 F.3d 1349, 1354 (Fed. Cir. 2006).

The Appellant in the instant matter is a prevailing party. On January 24, 2019, the parties entered into a Joint Motion to Vacate, Reverse in part, Dismiss in part and Remand in part. The Court granted the motion on February 13, 2019. The remand was premised on Board error as stated therein.

Appellant must also establish that his net worth at the time of filing the appeal

did not exceed \$2 million. Attached to this motion is the declaration of the appellant, certifying that he meets this criteria. Therefore, the appellant meets the first requirement for a fee award.

Appellee's position in this case was not substantially justified. In White v. Nicholson, 412 F.3d 1314 (Fed. Cir. 2004) the Federal Circuit applied the totality of the circumstances test and noted that "EAJA requires that the record must supply the evidence of the Government's substantial justification." 412 F.3 at 1316. The Secretary's position during proceedings before the Agency was not reasonable, either in law or in fact, and accordingly the Secretary's position was not substantially justified in this case. For example, there is nothing substantially justified in the Board's finding that the appeal of his claim for an earlier effective date for his service connected PTSD "was not on appeal and conclusively resolved in an April 2014 Stipulated Agreement and the Court's subsequent April 2014 dismissal, with prejudice of an appeal relating to the assignment of an effective date pursuant to the terms of the Stipulated Agreement"; thus, the parties settled this case. In considering whether the Secretary's position was not substantially justified, the Court considers not only "the position taken by [the government] ..., [but also] the action or failure to act by the agency upon which the civil action is based."28 U.S.C. §2412(d)(2)(D).

No Special Circumstances Make an Award Unjust on this Appeal.

There is no evidence that special circumstances exist in Appellant's case that

would make an award of reasonable fees and expenses unjust. 28 U.S.C. § 2412(d)(1)(A). The errors committed by the Board partially described above, and as set forth in the parties Joint Motion did not present issues of first impression before this Court or involve good faith arguments, nor did this case involve one of new, different, or more stringent requirements for adjudication. *See Doria v. Brown*, 8 Vet. App. 157, 162 (1995); *Scarborough v. Nicholson*, 19 Vet. App. 253 (2005).

Based on the above, and on the pleadings in this case, an award of fees is proper. Attached is counsel's statement itemizing the services and expenses for which reimbursement is sought.

Respectfully submitted,
/s/Tara R. Goffney
Tara R. Goffney
Counsel for Appellant, Rickey R. Mitchell
PO 678
Bronx, New York 10469
(718) 515-0700
tgoffney@attorney4vets.com

IN THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

RICKEY R. MITCHELL :

Appellant,

v. : Vet. App. No. 18-4 - EAJA

ROBERT L. WILKIE

Secretary of Veterans Affairs, :

Appellee. :

DECLARATION OF TARA R. GOFFNEY, ESQ.

- I, Tara R. Goffney, make the following declaration in support of appellant's application for an award of attorney fees, costs, and other expenses in connection with the above-captioned appeal filed with the U.S. Court of Appeals for Veterans Claims.
- 1. I was the attorney of record for the appellant in the proceedings before the U.S. Court of Appeals for Veterans Claims. Exhibit A contains an itemization of services for which reimbursement is sought.
- 2. The statutory \$125.00 hourly fee (ie. Equal Access to Justice Act, applicable to appeals filed after March 29, 1996) should be increased in light of the increase in the cost of living as demonstrated by the Consumer Price Index.¹ Appellant chooses January 2019, the last published date closest to when the Joint Motion for Remand was entered into, for

¹ For attorneys in the New York area, the CPI for urban consumers in the New York-Northern New Jersey-Long Island was used. The rate was calculated by first determining the increase in the CPI between March 1996 and January 2019 (65.249 %). That increase was added to the statutory \$125 rate, yielding a rate of \$206.56 as of January 2019.

calculating the CPI increase. *Elcyzyn v. Brown*, 7 Vet. App. 170, 181 (1994); 28 U.S.C. § 2412(d)(2)(A)(ii).

- 3. Appellants counsel spent a total of ninety-one and four-tenths (91.40) hours on this matter. Appellants's counsel has exercised billing judgment however, and has not billed the government for a total of eighteen (18) hours expended on behalf of the appellant.² The amount of hours excluded from the billing equals approximately twenty (20%) percent of the total time actually expended by counsel on behalf of the appellant. These twenty (20) excluded billable hours do not include more than eighteen and five-tenths (18.50) additional hours Appellant's counsel spent on the case which, in the exercise of billing judgment, were completely removed from the billing.
- 4. Applying the rate computed to the time expended by counsel for Appellant for which reimbursement is sought, seventy-three and four-tenths (73.40) hours, Appellant seeks a total fee of \$15,161.50.
- 5. For costs and expenses expended by counsel for appellant, appellant seeks a total reimbursement of \$38.00. The total of fees and expenses is \$15,199.50.

² Appellant is not conceding in any way that these hours are unreasonable. Rather the selected entries were marked <u>randomly</u> as a showing of good faith on the issue of reasonableness. These marked entry time periods should be substituted to replace any other unmarked time entries for which there may be objections.

6. The undersigned states that the information set forth above is true and correct.

Respectfully submitted,

/s/Tara R. Goffney
Tara R. Goffney
Counsel for Appellant, Rickey R. Mitchell
PO 678
Bronx, New York 10469
(718) 515-0700
tgoffney@attorney4vets.com

Mitchell, R.

	<u>Hours</u>	<u>Am</u>	<u>ount</u>	
For professional services rendered	91.40	\$18	\$18,879.58	
Less reduction based on exercise	(18.00)	(\$ 3,718.08)		
of billing judgment				
Total Fees	73.40	\$15	5,161.50	
Additional Charges				
Express Postage		\$	38.00	
Total Costs		\$	38.00	
Total Amount for this bill		\$ 1	5,199.50	

EXHIBIT "A"

Tara R. Goffney, Esq.

Tara Goffney's Time Entry Report for Selected Client:

Client ID:

Tue Dec 26, 2017 to Mon. Feb 18, 2019

Mitchell, R.	Date Matter ID:	Activity Code (UTBMS Task) UTBMS Activity Code / Description	(hrs) (hours)
	Sun Feb 17, 2019		2.50
		Edit timesheets. Draft EAJA application.	
	Wed Feb 6, 2019		0.20
		Review Judge's order and mandate.	
	Thu Jan 24, 2019		0.10
		Email to GC regarding status of JMR	
	Thu Jan 24, 2019		0.10
		Review reply email from GC.	
	Thu Jan 24, 2019		0.20
		Reply to GC's email.	
	Thu Jan 24, 2019		0.10
		Review reply from GC.	
	Thu Jan 24, 2019		0.10
		Respond to GC's email.	
	Thu Jan 24, 2019		0.10
		Email to GC inquiring about supervisory authority.	
	Thu Jan 24, 2019		0.30
		Email to GC with attached signature page.	
	Thu Jan 24, 2019		0.20
	Thu Jan 24, 2019	Review filed JMR	0.10
		Review response from GC.	
	Mark to the control of the control o		

/Mitchell, R.	Date Matter ID	Activity Gode (UTBMS Task) (h UTBMS Activity Gode / Description	rs) (hours)
	Tue Jan 22, 2019		0.10
		Review email from GC.	
	Tue Jan 22, 2019		0.10
		Reply to GC's email.	
	Tue Jan 22, 2019		1.00
	angan kangan naggalagan pinangan angan nagan sa manangan nagan nagan sa manangan nagan sa manangan nagan sa ma	Completed drafting proposed counter JMR.	. The second of the second
	Tue Jan 22, 2019		0.10
<u>.</u>		Review email from GC.	
	Tue Jan 22, 2019		0.20
	regioner menter in the state of	Respond to GC's email.	
	Tue Jan 22, 2019		1.50
		Conference via email - Continuous afternoon discussion via email of the issues in the JMR from 3 pm to 6:05 pm.	
· ·	Mon Jan 21, 2019		2.00
		Outlined and reviewed complex proposed JMR. Researched briefs and decisions on Williamson. 14-0805, and McClinton 15-4173 on finality which were proposed by CLS counsel. Additional research on finality and pending claims in a CUE scenario. Began to drafft counter revisions to the JMR	
	Mon Jan 21, 2019		0.20
		Email to GC regarding proposed JMR	
	Wed Jan 9, 2019		0.10
	Tue Jan 8, 2019	Reply to GC's email.	0.10
		Email to GC asking for response.	
	Fri Jan 4, 2019	тоороноо.	0.10
		Email to GC requesting JMR draft.	

Mitchell, R.	Date (Matter ID)	Activity Code (UTBMS Task) UTBMS Activity Code / Description	(hrs) (hours)
The same of the sa	Thu Jan 3, 2019	en en en exercise en anoma en	0.10
		Review judge's stamp order denying stay motion.	
	Wed Jan 2, 2019	• • •	0.20 W
		Drafted protective motion for 45 day extension to file opening brief.	•
<u></u>	Sun Dec 23, 2018	· . •	0.20
		Review Dec 21, 2018 emails from GC and stay motion filed.	
	Fri Dec 21, 2018		0.10
		Review email response from GC	
	Fri Dec 21, 2018		0.10
		Respond to GC's email.	
	Fri Dec 21, 2018		0.10
		Review yesterday's emails from GC.	
	Thu Dec 20, 2018		0.50 W
		Review email from GC with proposed stay motion	•
	Thu Dec 20, 2018		0.20
The second section of the second section is a second section of the second section section is a second section of the second section s		Respond to GC's email.	
	Wed Dec 19, 2018		0.10
		Review GC email requesting support for continuing stay for an additional 30 days.	
	Wed Dec 19, 2018		0.20
		Review additional email from GC.	
	Wed Dec 19, 2018		0.10
		Respond to GC's email.	
	Wed Dec 19, 2018		0.20
		Reply to GC's email regarding additional stay.	
	Wed Nov 21, 2018		0.10
		Review judge's stamp order.	

Mitchell, R.	Date Matter ID		s) (hours)
		UTBMS Activity Code/I Description	##
A CONTROL OF THE PROPERTY OF T	Tue Nov 20, 2018	et i gagan a terre e e e e e e e e e e e e e e e e e	0.10
	Tue Nov 20, 2018	Review reply from GC.	0.40
	1de 110V 25, 2015	D : 001	0.40
		Review GC's email and special stay motion from GC.	
	Tue Nov 20, 2018		0.10
		Respond to GC's email with signed attachment.	
	Tue Nov 20, 2018		0.10
	Man Nov 40, 2040	Review filed motion.	0.40
	Mon Nov 19, 2018		0.10
	Mon Nov 19, 2018	Respond to GC's email.	0.20
		Review email from GC regarding special stay request from a judge.	
· · · · · · · · · · · · · · · · · · ·	Wed Nov 14, 2018		0.10
		Review email from GC regarding satus of JMR.	
	Wed Nov 14, 2018		0.10
		Reply to GC's e-mail.	
	Thu Nov 1, 2018		0.10
		Email to GC requesting draft JMR due to time constraints.	
· · · · · · · · · · · · · · · · · · ·	Mon Oct 22, 2018	en e	0.20
		Drafted motion to continue stay of proceedings for 30 days	
	Mon Oct 22, 2018		0.10
	Mon Oct 22, 2018	Review reply from GC.	0.10
		Review clerk's stamp.	
	Sun Oct 21, 2018		0.10
		Email to GC regarding extension of stay.	
	Mon Oct 15, 2018		0.10

Mitchell, R.	Date Matte (D	Activity Code (UTBMS Tesk) UTBMS Activity Code / Description	(hrs) (hours)
	Mon Oct 15, 2018	Email to GC.	0.10
and the second s	Mon Oct 15, 2018	Review reply from GC.	0.10
	Tue Oct 9, 2018	Reply to GC's email.	0.10
	Tuo Oct 0, 2048	Email to GC regarding status of JMR.	
	Thu See 20, 2018	Review reply from GC.	0.10
	Thu Sep 20, 2018	Drafted motion for 30 day stay of proceedings	0.10
	Thu Sep 20, 2018	Email to GC regarding	0.10
	Thu Sep 20, 2018	entering into a stay.	0.10
• • • • • • • • • • • • • • • • • • • •	Thu Sep 20, 2018	Review email from GC in response to stay request.	0.40
	1110 Sep 20, 2016	Review follow-up email from GC.	0.10
	Thu Sep 20, 2018	Respond to GC's email.	0.10
	Thu Sep 20, 2018	Review clerk's stamp/	0.10
·····	Tue Sep 18, 2018	Email to GC regarding	0.10
	Tue Sep 18, 2018	receipt of prior email.	0.10
	Thu Sep 13, 2018	Review response from GC.	0.20
	Thu Sep 13, 2018	Review email from GC.	0.10
	Wed Sep 12, 2018	Reply to GC's email.	0.10
Printed by Tara Goffney on Mon Feb 18, 2019.			Page 5 of 13

Mitchell#R.	Data (Matter)D	Activity Code (UTBMS Task). ((h UTBMS Activity Code/ Description	rs))((hours)
		Email to GC regarding status of JMR	
	Wed Sep 12, 2018	• • • • • • • • • • • • • • • • • • • •	0.10
	Wed Sep 12, 2018	Respond to GC's email.	0.80
		Review extensive email from GC with proposed terms of JMR	
	Fri Aug 31, 2018		0.20
		Review email from GC regarding 1994 RD and CUE.	
	Fri Aug 31, 2018		0.10
	Fri Aug 31, 2018	Respond to GC's email.	0.20
		Review email from CLS attorney.	
	Fri Aug 31, 2018		0.10
	Fri Aug 31, 2018	Reply to CLS' email	0.10
	1 11 7 tag 51, 2510	Review clerk's order lifting stay.	0.10
· · · · · · · · · · · · · · · · · · ·	Thu Aug 30, 2018		1.00
		Review specific parts of BVA decision with respect to CUE issues and rating in preparation for CLS conference	
	Thu Aug 30, 2018		1.50
		Attended third CLS conference from 11:30 a.m. to 1:03 pm	
	Thu Aug 30, 2018		2.00

Mhchell, R.	Date Matter/ID	Activity Gode (UTBMS Task) (UTBMS Activity Code / Description	hra) (houra)
A law company and the Art Production of the Control		Search through the disc, annotations and notes of this nearly 5000 page disorganized RBA looking for documents requested by CLS. Note that this RBA is completely out of order with multiple pages of documents dislodged from document order and strewn all throughout the RBA.	Add to See
	Thu Aug 30, 2018		0.10
	Thu Aug 30, 2018	Follow-up email to GC.	2.50
		Analyze record regarding the 1989 claim in light of the discussions at the CLS conference. Draft extensive email to CLS and GC with exhibits.	
	Thu Aug 30, 2018		0.10
**************************************	Tue Aug 28, 2018	Review clerk's notice.	0.30
		Review email from GC regarding CUE as related to DSM-IV	
•	Tue Aug 28, 2018		0.10
	Mon Aug 27, 2018	Reply to GC's email.	0.10
		Email to GC requesting to confer prior to conference.	
	Mon Aug 27, 2018		0.10
	Mon Aug 13, 2018	Review reply from GC.	1.30
	Thu Aug 9, 2018	Review DSM-IV to identify literature to send in support of veteran's argument about Dr. Faheem's erroneous report. Located chart which lists distinctions between DSM-III and DSM-IV Drafted memorandum to CLS and GC enclosing exhibits on this issue.	0.10

Mitchell, R2	Date Matter ID	Activity Code (UTBMS Task) UTBMS Activity Code / Description	(hrs) (hours)
	Wed Aug 8, 2018	Review clerks order scheduling third conference.	1.50
		Attended Cls conference at 11:30 a.m.	
	Wed Aug 8, 2018	Reply to CLS email.	0.10
	Wed Aug 8, 2018	Tropy to obto cinem.	0.10
		Review email from CLS and GC regarding the need to re-schedule the thirdconference.	
	Wed Aug 8, 2018		0.10
		Review email fro CLS confirming new date for conference.	
	Wed Aug 8, 2018		0.10
<u></u>	Tue Jul 24, 2018	Reply to CLS' email.	0.10
	Tue Jul 24, 2018	Email to GC regarding status of our discussion.	0.30
	Tue Jul 24, 2010	Review email response from GC.	0.30
	Tue Jul 24, 2018		0.20
	Tue Jul 24, 2018	Reply to GC's email.	0.10
	Tue Jul 24, 2018	Reply to GC's latest email.	0.10
		Review email reply from GC.	
	Thu Jul 19, 2018	And the second of the second o	2.50

Mitchell; R.	Date: Matter 10	Activity Code (UTBMS Task) (h UTBMS Activity Code I Description	re):(houre)
		Comprehensive review of pertinent regulaions and caselaw via Westlaw (38 CFR 4.1,25(a) (1997), 64 FR 32807-02 (1991) WL 396768 (F.R.), contrast DSM-III provisions with DSM-IV;, Evaluation of JMR offer in light of allegations of BVA error (as well as Board manufactured CUE motions) and remand offer o waive CUE in 1994 and 1997 RD's, Draft itemized detailed email to GC in response to his email.	
	Wed Jul 18, 2018		0.10
· · · · · · · · · · · · · · · · ·	Tue Jul 17, 2018	Email to GC.	0.10
	Mon Jul 16, 2018	Reply to GC's email.	0.50
	Wed Jul 11, 2018	Review extensive email from GC offering a remand on two issues on certain conditions.	1.00
	Tue Jul 10, 2018	Draft memorandum with attached exhibits for CLS and GC in preparation for upcoming conference.	0.20
	Mon Jul 9, 2018	Review clerk's order scheduling second CLS conference.	1.30
		Attended CLS conference. 11:30 a.m. to 12:46 p.m. Conerence is continued until Auguat 2018.	
	Mon Jul 9, 2018	Reviewed record to retrieve and compile documents requested by CLS for review prior to upcoming August 2018 conference.	2.00
	Mon Jul 9, 2018		0.10

Mitchell, R.	9	Date Matter ID	Activity Code (UTBMS Task) UTBMS Activity Code // Description	(hrs) (hours)
			Review CLS conference update.	
		Sat Jun 23, 2018	•	0.20
			Draft Rule 33 certificate of service.	
	ere en	Sat Jun 23, 2018		3.00
			A.M Draft summary of Facts. Begin to draft Point I of argument in Memo.	
		Sat Jun 23, 2018		3.00
			P.M Complete draft os Point One, Two and Conclusion of Memo Refine arguments of Memo.	
		Fri Jun 22, 2018	e e e e e e e e e e e e e e e e e e e	3.00
			Formulate arguments for conference memo. Re-evaluate existing record evidence regarding DSM-III vs DSM-IV, and compile existing documents previously submitted to VA and the Board. Draft outline of Memo.	
	,	Thu Jun 21, 2018		2.00
			Compile pertinent records from nearly 5000 page RBA to compile argument. Westlaw research on relevant caselaw to include Golden v. Shinsek,	
		Mon Jun 4, 2018	•	0.10
			Review conference update order.	
		Sat May 26, 2018		3.00
		Fri May 25, 2018	Review annotate and catalogue RBA 596 - 1	3.00
		-	A.M Review annotate and catalogue RBA - 1504 - 1016	
<u> </u>		Fri May 25, 2018		3.00

Mitchell; R.	Data Matter (D	UTBMS Activity Code / Description	rs) ((tiours)
		P.M Review annotate and catalogue RBA 1015 - 597.	_
	Thu May 24, 2018	 	0.20
		Email to GC and CLS regarding conflict for conference date.	
	Thu May 24, 2018		0.50
		Review series of emails from GC and CLS regarding schedule dates.	
	Thu May 24, 2018	· · · · · · · · · · · · · · · · · · ·	0.30
		Drafted motion to re-schedule briefing conference.	
	Tue May 22, 2018		3.00
		A.M Review, annotate and catalogue RBA 2660 - 2109.	
·• · · · · · · · · · · · · · · · · · ·	Tue May 22, 2018		3.00 1
		P.M Review, annotate and catalogue RBA 2108 - 1505	
	Mon May 21, 2018		0.10
	Thu May 17, 2018	Review clerks order scheduling CLS conference	3.00
	1110 Way 17, 2010	A A A Daview constate and	3.00
		A.M Review annotate and catalogue RBA - 3009 - 2661	
	Mon May 14, 2018		3.00
		A.M Review annotate and catalogue RBA 4061 - 3649	
	Mon May 14, 2018		3.00
		P.M Review annotate and catalogue RBA 3648 - 3010	
	Sat May 12, 2018		3.00 1/
<u> </u>	Fri May 11, 2018	P.M - Review, annotate and catalogut RBA 4491 - 4062	3.00 N/C
	ay 11, 2010	A.M Review annotate and	0.00 ///
	Fri May 11, 2018	catalogue RBA 4997 - 4690	2.00 \\/
			2.00 \$ 1/(

Mitchell, R.	Date Matter ID	Activity Code (UTBMS Task) (h UTBMS Activity Code / Description	ra) (houra)
		P.M Review, annotate and catalogue RBA 4689 - 4492	
	Mon May 7, 2018		0.10
		Review clerk's notice to file brief.	
North Committee of the	Fri Apr 27, 2018	The state of the s	3.00 N
		P.M RULE 10d review of RBA 2499 - 1.	(
	Fri Apr 27, 2018		3.00
		A.M RULE 10d review of RBA 4997 - 2500 of 4997 page RBA.	•
	Mon Mar 19, 2018		0.50
		Review email from client with attachments.	
	Mon Mar 19, 2018		0.20
		Reply to Mr. Mitchell's email.	
	Mon Mar 12, 2018		0.10
		Review clerk stamp order.	
	Fri Mar 9, 2018		0.10
		Email to GC requesting position on extension motion.	
•	Fri Mar 9, 2018		0.10
	Fri Mar 9, 2018	Review reply from GC	را 0.30
		Drafted motion for 45 day extension from March 20th	'4
	Thu Mar 1, 2018	CACHSION HOM MAIGH 2001	0.10
		Review RBA notice.	
***************************************	Fri Jan 26, 2018		0.10
		Review GC NOA	
	Wed Jan 24, 2018		0.20
<u> </u>	Tue Jan 23, 2018	Rview explanation from GC.	1.00
		Review BVA decisions transmitted.	
		uansmucu.	

Mitchell, R. Date Matt	er ID Activity Code (UTBMS Tas UTBMS Activity Code / Description	k) (hrs)(hours)
Fri Jan 5, 2018		0.10
	Review clerk filings.	
Sat Dec 30, 2017		0.10
	Email to client.	
Fri Dec 29, 2017		0.20
	Review email and documents from client.	
Thu Dec 28, 2017	Commence of the Commence of th	0.30
	Drafted appeal document	s.
Wed Dec 27, 2017		1.00
	Consultation with client regarding issue for appea to court	il
	Time for Mitchell, R.:	91.40
	Total Time:	91.40

IN THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

Rickey R. Mitchell

Appellant, :

v. :

DAVID J. SHULKIN, M.D. Secretary of Veterans Affairs,

Appellee.

DECLARATION OF NET WORTH

I, Rickey R. Mitchell, a resident of Wyoming County, City of Pineville, WV, declare that in Januay 2018, at the time my appeal to the U.S. Court of Appeals for Veterans Claims was filed, my estate, including all properties, monies, and possessions, combined to a net worth of less than Two Million Dollars (\$2,000,000.00).

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Marie R Mitchest Name

DATE

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SHARE ON: []

Change Output Options:

From: 1996 ▼

To: 2019 ▼

include graphs include annual averages

More Formatting Options

Data extracted on: February 18, 2019 (7:23:27 PM)

CPI-All Urban Consumers (Current Series)

Series Id:

CUURS12ASA0

Not Seasonally Adjusted

Series Title:

All items in New York-Newark-Jersey City, NY-NJ-PA, all urban consumers, not seasonally adjusted

New York-Newark-Jersey City, NY-NJ-PA

Area: Item:

All items

Base Period: 1982-84=100

Download: 🔯 xisx

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
1996	164.8	165.7	166.5	166.0	166.4	166.5	166.7	167.2	168.2	168.2	168.4	168.5	166.9	166.0	167.9
1997	169.1	170.1	170.7	170.2	169.9	170.3	170.8	170.8	171.7	172.3	172.0	171.9	170.8	170.1	171.6
1998	172.1	172.7	173.0	173.0	173.0	173.1	173.6	174.2	174.4	174.8	174.7	174.7	173.6	172.8	174.4
1999	175.0	175.1	175.5	176.0	176.1	176.8	177.2	177.6	178.2	178.9	178.8	178.6	177.0	175.8	178.2
2000	179.3	180.5	181.5	181.4	181.4	182.0	182.8	183.1	184.4	184.6	184.6	184.2	182.5	181.0	184.0
2001	184.9	185.3	186.4	186.6	187.3	188.3	187.8	188.1	188.0	187.8	187.8	187.3	187.1	186.5	187.8
2002	188.5	189.9	191.1	191.8	191.4	191.5	192.0	193.1	193.3	193.7	193.4	193.1	191.9	190.7	193.1
2003	194.7	196.2	197.1	196.7	196.8	196.9	197.7	199.1	199.6	200.0	199.4	199.3	197.8	196.4	199.2
2004	199.9	201.1	203.4	204.0	204.4	206.0	205.5	205.7	205.9	207.3	207.2	206.8	204.8	203.1	206.4
2005	208.1	208.9	212.4	212.5	211.4	210.7	212.5	214.1	215.8	216.6	215.3	214.2	212.7	210.7	214.8
2006	215.9	216.4	218.2	220.2	221.6	222.6	223.1	224.1	222.9	221.7	220.9	221.3	220.7	219.2	222.3
2007	221.767	223.066	224.551	225.780	227.146	228.258	228.628	228.326	228.308	228.552	229.504	229.395	226.940	225.095	
2008	229.869	231.020	233.122	233.822	236.151	238.580	240.273	240.550	240.089	238.403	234.498	233.012	235.782	233.761	237.804
2009	233.402	234.663	235.067	235.582	235.975	237.172	237.600	238.282	238.568	238.380	238.777	238.427	236.825	235.310	238.339
2010	238.970	238.862	240.101	240.529	241.075	240.817	241.147	241.569	241.485	241.981	241.960	241.874	240.864	240.059	241.669
2011	242.639	243.832	245.617	246.489	248.073	248.505	249.164	250.058	250.559	250.051	249.317	248.307	247.718	245.859	249.576
2012	249.322	250.285	251.887	252.349	252.652	252.406	252.016	253.472	254.554	254.277	254.285	253.555	252.588	251.483	253.693
2013	254.807	256.234	256.589	255.967	256.270	256.911	257.326	257.659	258.504	257.069	257.377	257.284	256.833	256.130	257.537
2014	259.596	259.019	259.971	259.985	261.225	261.350	261.498	261.075	261.074	260.500	259.382	258.080	260.230	260.191	260.268
2015	258.376	259.240	259.647	259.959	261.066	261.512	261.199	261.347	261.887	261.515	261.009	259.941	260.558	259.967	261.150
2016	260.342	260.875	261.508	262.619	263.312	263.877	263.722	264.160	264.602	264.738	265.203	265.421	263,365	262.089	264.641
2017	266.917	267.662	267.582	267.948	268.183	268.666	268.051	268.657	270.059	269.575	PERSONAL PROPERTY AND ADDRESS OF THE PARTY AND	269.564	268.520	267.826	269.215
2018	270.771	272.214	272.196	272.950	274.001	274.170	274.073		275.455		274.478		273.641	272.717	274.564
2019	275.144														27 1100 1

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