

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

RICKEY R. MITCHELL,

Appellant,

v.

ROBERT L. WILKIE,
Secretary of Veterans Affairs,

Appellee.

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Vet. App. No. 18-0004

**UNOPPOSED MOTION FOR AN EXTENSION OF TIME
TO FILE SECRETARY'S RESPONSE UNDER VET. APP. R. 39(a)(1) TO
APPELLANT'S APPLICATION FOR ATTORNEY FEES AND EXPENSES**

Pursuant to VET. APP. R. 26(b), 27, and 45(g)(4), Appellee, Secretary of Veterans Affairs, respectfully moves the Court for a 45-day extension of time within which to file a response under VET. APP. R. 39(a)(1) to Appellant's application for attorney fees and expenses pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). If not for this motion, Appellee's EAJA response would be due March 21, 2019.

The Secretary seeks a 45-day extension until May 6, 2019. Counsel for Appellee states the following as cause for this motion: Since Appellant's EAJA Application was filed, counsel has filed numerous pleadings and participated in multiple pre-briefing conference with the Court's Central Legal Staff (CLS). Counsel has also been focused on meeting the filing dates in a number of other matters, including three briefs due during the week of March 21, 2019. As a result,

counsel has not yet had the opportunity to extensively review and properly respond to Appellant's Amended EAJA Application.

Appellee has previously been granted 0 days of extension in this EAJA case. Appellant has been granted 0 days of extension in this EAJA case.

Appellant is not opposed to this motion.

Wherefore, Appellee respectfully moves the Court to grant an extension of time until May 6, 2019, in which to file a response to Appellant's Amended EAJA Application.

Respectfully submitted,

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