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

BENJAMIN J. SELTZER, IV,	
Appellant,	
V.	
<b>ROBERT L. WILKIE</b> , Secretary of Veterans Affairs,	
Appellee.	

Vet. App. No. 18-7419

## APPELLEE'S MOTION FOR AN EXTENSION OF TIME UNTIL SEPTEMBER 5, 2019, TO RESPOND TO APPELLANT'S BRIEF

Pursuant to U.S. Vet. App. R. 26(b), Appellee, Robert L. Wilkie, Secretary of Veterans Affairs, respectfully moves the Court for a 45-day extension of time within which to respond to Appellant's Brief. If not for this motion, the Secretary's response would be due on July 22, 2019.

The request for additional time is being made because of the undersigned attorney's extensive professional responsibilities and to allow additional supervisory review.

As of the date of this motion, neither Appellant nor Appellee have previously sought an extension of time for any filing in this case. On behalf of the Secretary, counsel expresses regret to the Court and Appellant for any inconvenience caused by the delay in filing the Secretary's response.

Appellant is proceeding *pro se* in this matter.

WHEREFORE, Appellee, Robert L. Wilkie, Secretary of Veterans Affairs,

respectfully moves the Court for an extension of time to file a response to

Appellant's Brief, until September 5, 2019.

Respectfully submitted,

JAMES M. BYRNE General Counsel

MARY ANN FLYNN Chief Counsel

<u>/s/ Kenneth A. Walsh</u> **KENNETH A. WALSH** Deputy Chief Counsel

<u>/s/ Melissa A. Timbers</u> **MELISSA A. TIMBERS** Appellate Attorney Office of General Counsel (027J) U.S. Department of Veterans Affairs 810 Vermont Avenue, N.W. Washington, DC 20420 (202) 632-4712

Attorneys for Appellee Secretary of Veterans Affairs

## **CERTIFICATE OF SERVICE**

I certify under possible penalty of perjury under the laws of the United States of America that, on July 19, 2019, a copy of the foregoing was mailed postage prepaid to:

> Benjamin J. Seltzer, IV 3882 Shirlene Place La Mesa, CA 91941

> > <u>/s/ Melissa A. Timbers</u> **MELISSA A. TIMERS** Counsel for Appellee