

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

625 Indiana Avenue, NW Suite 900
Washington, DC 20004-2950

APPELLANT'S INFORMAL BRIEF

Docket No: 19-3992

U.S. COURT OF APPEALS
FOR VETERANS CLAIMS

Oct 18, 2019

RECEIVED

John J. Mull,

Appellant,

v.

Robert L. Wilkie,
Secretary of Veterans Affairs,

Appellee.

Type or legibly write your answers to each question. If the Court cannot read your handwriting, your brief may be returned to you.

1. If there is more than one issue listed on the first page of the Board decision, which issue(s) are you appealing?

Please note that if you choose not to list an issue here, the Court might not review that issue.

① SERVICE CONNECTION FOR BILATERAL HEARING LOSS
② " " " " TINNITUS

Questions 2-6 ask you for information regarding the issues you believe were incorrectly decided by the Board.

2. For each issue you listed in Question 1, did the Board incorrectly state any facts?

Yes ☒ No ☐

If yes, what are the correct facts? Please list the page number(s) from the Record Before the Agency (RBA) that support your argument.

pg. 3 #1 BOTTOM PARA - VA EXAMINER READ MY EXIT
① & ② PHYSICAL; I DID NOT WANT TO BE HELD FROM
DISCHARGE DUE TO RINGING IN MY EARS. EX'S
EXAM WAS WHISPER TEST. I HAD A WEAK ENFORCEMENT
CAREER AFTER AD; I COULD NOT PURSUE MY
DISABILITY

3. Are there any documents in the Record Before the Agency (RBA) that support your claim(s)?

Yes ☒ No ☐

If yes, what are those documents? Please list the page number(s) in the RBA where they can be found and explain why you think they support your claim.

082 EVIDENCE SUBMITTED UNDER WAIVER DTD. 5/5/2019
VAEVAL DTD. 2/27/2019
VAEVAL DTD. 1/8/2013

4. Did VA fail to obtain any documents identified by you or your representative or mentioned in the Record Before the Agency (RBA) when it was gathering evidence for your case?

Yes ☐ No ☒

If yes, list the page number(s) of the RBA that show that these documents exist and explain:

- How each document relates to your claim(s)
- Why each document is important to your case

The Court cannot consider documents that were not before the Board. Also, please do not attach any pages from the RBA.

5. To your knowledge, did the Board fail to apply or misapply any law, case, or regulation?

Yes ☒ No ☐

If yes, what is that law, case, or regulation and how should the Board have applied it?

3.102 REASONABLE DOUBT

4.2 INTERPRETATION OF EXAM REPORTS

4.3 RESOLUTION OF REASONABLE DOUBT

6. Do you think that the Board decision is wrong for any other reason(s)?

Yes ☒ No ☐

If yes, what are those reason(s)? Please list the page number(s) from the RBA that support your argument.

①/② THROUGHOUT MY AD IN US & KOREA, I WAS AN MIA WHO DID NOT COMPLAIN. I HEARD CONSTANT RINGING & HAD TO HAVE COMMANDS REPEATED, ESPECIALLY ON RADIO EQUIPMENT. IN MY POST-SERVICE LAW ENFORCEMENT CAREER, IF I WOULD HAVE COMPLAINED, I WOULD NOT HAVE ADVANCED IN LIFE. I ONLY KNOW THAT I HAVE HAD CONSTANT RINGING & NOTICEABLE HEARING LOSS SINCE MY CONVERSION BY VA ACROUSTIC TRAUMA.

Finally, Questions 7-8 ask you for information that will help the Court process your case.

7. What action do you want this Court to take?

- ① MY FREQUENT SERVICE-CONNECTED BILATERAL HEARING LOSS IS APPROPRIATE
- ② SERVICE-CONNECTED TINNITUS IS WARRANTED

8. If you needed extra pages to answer the questions above, how many extra pages did you attach to this form? _____

Please remember that your brief cannot exceed 30 pages total (including this form). Do not attach any pages from the RBA.

On any attached pages, make sure to include your name and your Court docket number.

Please sign and date this form after you have finished completing it.

Appellant's Telephone Number: 551 265 0396

Appellant's Address: 36 WATERS EDGE DR LITTLE EGG HARBOR TWP NJ 08087

Appellant's Signature: J. J. Miller

Date: 10/17/2019