

Oct 31 2019

by /s/ A. Fulwood

Deputy Clerk

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

**OSCAR JOHNSON,**

Appellant,

v.

Vet.App. No. 19-2840

**ROBERT L. WILKIE,**

Secretary of Veterans Affairs,

Appellee.

**APPELLEE'S MOTION FOR A 45-DAY EXTENSION OF TIME,  
UNTIL DECEMBER 20, 2019, IN WHICH TO FILE A  
RESPONSE TO APPELLANT'S BRIEF**

Pursuant to U.S. Vet. App. R. 26(b), and 27(a), Appellee, Robert L. Wilkie, Secretary of Veterans Affairs, respectfully moves this Court for an extension of time, until December 20, 2019, in which to file a response to Appellant's brief. If not for this motion, the Secretary's response would be due no later than November 5, 2019.

Additional time is required for Appellee to respond to Appellant's principal brief due heavy workload concerns. The undersigned counsel has spent time on numerous cases during the past month, including preparing for and/or participating in Court conferences, drafting and/or filing briefs and remand motions, and preparing responses to attorney fee applications. Therefore, additional time is necessary to complete Appellee's response to Appellant's brief.

Appellant has not been granted any extensions prior to this motion. The Secretary has not been granted any extensions for this action or in the case thus far.

Appellant is pro se.

**WHEREFORE**, in light of these circumstances, Appellee, Robert L. Wilkie, Secretary of Veterans Affairs, respectfully moves the Court for an extension of time, until December 20, 2019, in which to file a response to Appellant's brief.

Respectfully submitted,

**RICHARD J. HIPOLIT**  
Acting General Counsel

**MARY ANN FLYNN**  
Chief Counsel

/s/ James B. Cowden  
**JAMES B. COWDEN**  
Deputy Chief Counsel

/s/ Lavinia A. Derr  
**LAVINIA A. DERR**  
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Counsel for Appellee,  
Secretary of Veterans Affairs

## **CERTIFICATE OF SERVICE**

I hereby certify, under penalty of perjury under the laws of the United States of America, that on October 31, 2019, a copy of the foregoing was mailed, postage prepaid to:

Oscar Johnson  
P.O. Box 1540  
Pahrump, NV 89041

/s/ Lavinia A. Derr

**LAVINIA A. DERR**

Appellate Attorney