

*Not published*

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

No. 18-3856

HEMBREE E. CECIL,

APPELLANT,

v.

ROBERT L. WILKIE,  
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before GREENBERG, TOTH, and FALVEY, *Judges*.

**ORDER**

*Note: Pursuant to U.S. Vet. App. R. 30(a),  
this action may not be cited as precedent.*

On July 23, 2018, veteran Cecil E. Hembree appealed through counsel a May 7, 2018, Board of Veterans' Appeals decision that denied an effective date earlier than February 24, 2011, for type 2 diabetes mellitus and coronary atherosclerosis. On September 9, 2019, the Court ordered, sua sponte, a stay of proceedings pending a decision in *Shoemaker v. Wilkie*, U.S. Vet.App. No. 18-1023, stating that the disposition in *Shoemaker* would likely control the outcome of Mr. Hembree's appeal. On December 17, 2019, the Court submitted this appeal for panel review. On December 18, 2019, the Court issued its decision in *Shoemaker*. The Court will now lift the stay and allow this case to proceed in accordance with the Court's Rules of Practice and Procedure.

Upon consideration of the foregoing, it is

ORDERED that the Court's September 9, 2019, stay is lifted in accordance with the Court's Rules of Practice and Procedure.

DATED: January 7, 2019

PER CURIAM.

Copies to:

Glenn R. Bergmann, Esq.

VA General Counsel (027)