

MOTION GRANTED

Feb 21 2020

by /s/ Robyn Willis

Deputy Clerk

KENNETH A. HERNANDEZ,
Appellant,

V.

Vet. App. No. 20-0504

ROBERT L. WILKIE,
Secretary of Veterans Affairs,
Appellee.

APPELLEE’S MOTION FOR STAY OF PROCEEDINGS

Pursuant to U.S. Vet. App. R. 5(a)(3) and 27, Appellee respectfully moves the Court for a stay of proceedings in the above-captioned case. This motion is made in the interest of judicial efficiency, pending a ruling on Appellee's motion to dismiss simultaneously filed herewith. In that motion, Appellee moved the Court to dismiss this case for lack of jurisdiction because the Board of Veterans' Appeals did not issue a final decision dated November 8, 2019 (the date that he cites as the date of a Board decision that he wishes to appeal to the Court). A stay of proceedings is sought to conserve judicial resources pending the Court's ruling on that motion.

Appellant is currently proceeding pro se in this matter.

WHEREFORE, Appellee respectfully moves the Court to grant a stay of proceedings in the instant case.

Respectfully submitted,

WILLIAM A. HUDSON, JR.
Acting General Counsel

MARY ANN FLYNN
Chief Counsel

/s/ Richard A. Daley
RICHARD A. DALEY
Deputy Chief Counsel

/s/ Amy M. Roth-Pixton
AMY M. ROTH-PIXTON
Appellate Attorney
Office of General Counsel (027E)
U.S. Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420
(202) 623-6985

CERTIFICATE OF SERVICE

On February 20, 2020, a copy of this notice and motion was mailed, postage prepaid, to:

Kenneth A. Hernandez
Alfred Hughes Unit
3201 FM 929
#01684655
Gatesville, TX 76597

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Amy M. Roth-Pixton
AMY M. ROTH-PIXTON
Appellate Attorney