

MOTION GRANTED

Mar 02 2020

by /s/ Juanita Coghill

Deputy Clerk

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

THOMAS LEE KIRK,

Appellant,

v.

ROBERT L. WILKIE,  
Secretary of Veterans Affairs,

Appellee.

Vet.App. No. 20-0707

**APPELLEE'S MOTION FOR STAY OF PROCEEDINGS**

Pursuant to U.S. Vet. App. Rules 5(a)(3) and 27, Appellee respectfully moves the Court for a stay of proceedings in the above-captioned case.

In the interest of judicial efficiency, a stay of proceedings is necessary because Appellee filed a motion to dismiss in the instant case. In the event that the Court grants Appellee's dispositive motion, there will be no need for further proceedings before this Court.

Appellant is proceeding *pro se*.

**WHEREFORE**, Appellee respectfully moves the Court to grant a stay of proceedings in the instant case pending the disposition of the motion to dismiss.

Respectfully submitted,

**WILLIAM A. HUDSON, JR.**  
Acting General Counsel

**MARY ANN FLYNN**  
Chief Counsel

/s/ Sarah W. Fusina  
**SARAH W. FUSINA**  
Deputy Chief Counsel  
Office of the General Counsel (027H)  
U.S. Department of Veterans Affairs  
810 Vermont Avenue, N.W.  
Washington, D.C. 20420  
202) 632-7139  
sarah.fusina@va.gov

For the Secretary of Veterans Affairs

## CERTIFICATE OF SERVICE

On February 27, 2020, a copy of the foregoing was mailed postage prepaid to:

Thomas Lee Kirk  
3658 Forest Trail Drive  
Grand Prairie, TX 75052

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

/s/ Sarah W. Fusina  
**SARAH W. FUSINA**

Attorney for Appellee Secretary  
of Veterans Affairs