

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 20-2377

BRIAN D. FERNANDEZ

PETITIONER,

v.

ROBERT L. WILKIE,
SECRETARY OF VETERANS AFFAIRS,

RESPONDENT.

Before FALVEY, *Judge*.

ORDER

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

On April 6, 2020, Brian Fernandez, filed through counsel, a petition for extraordinary relief in the nature of a writ of mandamus requesting the Court to compel the Roanoke Regional Office to forward a copy of the petitioner's claims file. The petitioner contends that VA received a VA Form 10-5345 and that he also submitted two written requests more than six months ago, but he has not received a copy of his claims file as of the date of the filing of his petition.

Before proceeding to adjudicate the merits of the petition, the Court requests a response from the Secretary that addresses the petition's allegations and provides supporting documentation.

On consideration of the foregoing, it is

ORDERED that the Secretary, within 30 days from the date of this order, file a response to the petition that addresses its specific allegations and provides any documentation necessary to aid the Court's resolution of this matter.

DATED: April 6, 2020

BY THE COURT:



JOSEPH L. FALVEY, JR.
Judge

Copies to:

Mark R. Lippman, Esq.

VA General Counsel (027)