

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS
625 Indiana Avenue, NW Suite 900
Washington, DC 20004-2950

APPELLANT'S INFORMAL BRIEF

Docket No: 19-4141

OCT 16 2019

Robert H. Wright, Jr.,

Appellant,

v.

Robert L. Wilkie,
Secretary of Veterans Affairs,

Appellee.

Type or legibly write your answers to each question. If the Court cannot read your handwriting, your brief may be returned to you.

1. If there is more than one issue listed on the first page of the Board decision, which issue(s) are you appealing?

Please note that if you choose not to list an issue here, the Court might not review that issue.

- ① SERVICE CONNECTION FOR BILATERAL HEARING LOSS
② SERVICE CONNECTION FOR TINNITUS
③ TDIU

Questions 2-6 ask you for information regarding the issues you believe were incorrectly decided by the Board.

2. For each issue you listed in Question 1, did the Board incorrectly state any facts?

Yes ☒ No ☐

If yes, what are the correct facts? Please list the page number(s) from the Record Before the Agency (RBA) that support your argument.

Pgs. 2-10

PC 2 - ITEMS 1 & 2 I WAS IN THE ARTILLERY FOR 2 YEARS ON ACTIVE DUTY. NO HEARING PROTECTION, ESPECIALLY IN VIETNAM. I WORKED IN A LUMBERYARD, MOSTLY IN OFFICE BUT, DUE TO OSHA REGS. HAD TO WEAR HELMETS & HEARING PROTECTION IN YARD.

Page 1 of 3

Form 9 (Rev 3/2018)

3. Are there any documents in the Record Before the Agency (RBA) that support your claim(s)?
Yes ☐ No ☒

If yes, what are those documents? Please list the page number(s) in the RBA where they can be found and explain why you think they support your claim.

4. Did VA fail to obtain any documents identified by you or your representative or mentioned in the Record Before the Agency (RBA) when it was gathering evidence for your case?
Yes ☒ No ☐

If yes, list the page number(s) of the RBA that show that these documents exist and explain:

- How each document relates to your claim(s)
- Why each document is important to your case

The Court cannot consider documents that were not before the Board. Also, please do not attach any pages from the RBA.

Pgs. 2-10 ITEMS 1 & 2 - FULL CONSIDERATION WAS NOT GIVEN RELATIVE TO MY CAREER POST AD & MY COMPLIANCE WITH OSHA REGS IN REGARD TO HEARING PROTECTION. MY EXIT PHYSICAL WAS A TOTALLY UNSCIENTIFIC "WHISPER" TEST.

Pgs 5-10 ITEM 3 - PLEASE REFERENCE ALL SUBMITTED STATEMENTS IN RBA (ESPECIALLY DR. RASHAD, VA REENTRIST)

5. To your knowledge, did the Board fail to apply or misapply any law, case, or regulation?
Yes ☒ No ☐

If yes, what is that law, case, or regulation and how should the Board have applied it?

38 CFR § 3.102 REASONABLE DOUBT (LIBERAL LEGISLATION)
38 CFR § 3.340 FOR ALL ITEMS
38 CFR § 3.341 TOTAL DISABILITY RATINGS FOR COMPENSATION RATINGS

6. Do you think that the Board decision is wrong for any other reason(s)?

Yes ☒ No ☐

If yes, what are those reason(s)? Please list the page number(s) from the RBA that support your argument.

ITEMS 1 & 2 - MY HEARING LOSS & TINNITUS HAD ITS ETIOLOGY ON ACTIVE DUTY. MY JOB & HOBBIES HAD NOTHING TO DO WITH IT. I WORK HEARING PROTECTION AT WORK & THE RIFLE RANGE.

ITEM 3 - I HAVE TRIED TO ACCESS PT JOBS. DR. RASHAD & MY PRIVATE PSYCHOLOGISTS HAVE ALL INDICATED THAT MY PTSD MAKES ME MORE THAN ABRASIVE & ARGUMENTATIVE IN INDUSTRIAL SITUATIONS.

Finally, Questions 7-8 ask you for information that will help the Court process your case. SERIAL SITUATIONS.

7. What action do you want this Court to take?

①/② I FEEL MY HEARING LOSS/TINNITUS WARRANT SERVICE CONNECTION DUE TO THE ACOUSTIC TRAUMA I SUFFERED IN THE MILITARY.

③ TDIU IS WARRANTED. ASIDE FROM PTSD, I AM EXTREMELY EMBARRASSED WHEN I PEE MY PANTS DUE TO MY INCONTINENCE. MY NEUROPATHY MAKES MY HANDS & FEET USELESS

8. If you needed extra pages to answer the questions above, how many extra pages did you attach to this form? _____

Please remember that your brief cannot exceed 30 pages total (including this form). Do not attach any pages from the RBA.

On any attached pages, make sure to include your name and your Court docket number.

Please sign and date this form after you have finished completing it.

Appellant's Telephone Number: 856 381 1583

Appellant's Address: 4 DORIS CT BARNEGAT NJ 08005

Appellant's Signature: Robert A. Wright

Date: 10/15/2019