

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

TYRONE A. BUNCH,)	
)	
Petitioner,)	
)	
v.)	Vet. App. No. 20-2621
)	
ROBERT L. WILKIE,)	
Secretary of Veterans Affairs,)	
)	
Respondent.)	

RESPONDENT’S NOTICE TO COURT

Respondent, Robert L. Wilkie, Secretary of Veterans Affairs, respectfully notifies the Court of the following matters.

Petitioner’s application for extraordinary relief, in the nature of a writ of mandamus, seeks assistance from the Court regarding a Statement of the Case (SOC) that was issued in October 2017 addressing five claims, but mailed to an incorrect address, and his subsequent request for a hearing before the Board of Veterans’ Appeals (Board or BVA).

Petitioner asserts that his requests for a status report regarding his hearing request have not been satisfactorily addressed.

The undersigned counsel for the Secretary established liaison with the appropriate officials at the Board, the Appeals Management Office (AMO) in Washington, DC, and the VA Regional Office (RO) in St.

Petersburg, FL, who reviewed the relevant entries and documents in the VA claims files for the Petitioner.

In a VA Deferred Rating Decision, dated April 17, 2020, the RO noted that:

Veteran was issued a SOC on 10-04-17. This [was] returned for bad address on 11-02-2017, [we] did not issue the veteran another SOC. He called . . . [on] the phone . . . on 1-22-18 where he was informed of the SOC. He submitted a Form 9 on this date. Therefore, since he submitted this form 9 with[in] 60 days of his notification we have accept this as a perfected Appeal. VSCCCRIB, DRO
(Ex. 1).

The Petitioner's appeal was certified to the Board on April 17, 2020.
(Ex. 2).

On April 20, 2020, the Petitioner was advised that his appeal was certified to the Board and that his request for a Travel hearing would be addressed by the Board. (Ex. 3).

WHEREFORE, the Secretary hereby submits this information for the Court's consideration and any action deemed appropriate.

Respectfully submitted,

WILLIAM A. HUDSON, JR.
Principal Deputy General Counsel

MARY ANN FLYNN
Chief Counsel

/s/ Edward V. Cassidy, Jr.

EDWARD V. CASSIDY, JR.

Deputy Chief Counsel

Office of General Counsel (027B)

U.S. Department of Veterans Affairs

810 Vermont Avenue, N.W.

Washington, D.C. 20420

(202) 632-6913

Counsel for Respondent

DEPARTMENT OF VETERANS AFFAIRS**DEFERRED RATING DECISION****1. TYPE OF CLAIM**
C&P**2. FILE NUMBER**

[REDACTED]

3. INITIALS AND SURNAME OF VETERAN
Bunch, Tyrone Alonzo**4. DATE OF DEATH****5. REGIONAL OFFICE NUMBER**
317**6. DATE OF THIS RATING**
4/17/2020**NOTE: THE RATING HAS BEEN DEFERRED PENDING RECEIPT OF DATA INDICATED BELOW****7. REASON(S) FOR DEFERRAL****8. EXPLANATION OF REASON(S) FOR DEFERRAL****VSR-****Pending Issues:**

Veteran was issued a SOC on 10-04-17. This returned for bad address on 11-02-2017, WE did not issue the veteran another SOC. He called into the phone until on 1-22-18 where he was informed of the SOC. He submitted a Form 9 on this date. Therefore, since he submitted this form 9 with 60 days of his notification we have accept this as a perfected Appeal.

VSCCCRIB, DRO

9. Rating Specialist**10. P/A**



1. LAST NAME - FIRST NAME - MIDDLE NAME OF VETERAN BUNCH, TYRONE, A					2. FILE NO. [REDACTED]	
3. NAME OF APPELLANT (If other than veteran)					4. INSURANCE FILE NO. OR LOAN NO. (If pertinent)	
DATES OF PROCEDURAL DOCUMENTS						
5A. DATE OF NOTIFICATION OF ACTION APPEALED 06/30/2014	5B. DATE OF SOC 01/22/2018	5C. DATE OF SUBSTANTIVE APPEAL/FORM 9 01/22/2018	5D. DATE OF SSOC (FIRST)	5E. DATE OF SSOC (SECOND)	5F. DATE OF SSOC (THIRD)	
6. APPELLANT REPRESENTED IN THIS APPEAL BY (Name of organization, attorney or agent) - Agent						
7. IF APPLICABLE, WHAT TYPE OF HEARING WAS REQUESTED? <input type="checkbox"/> A. DECLINED OPTIONAL BOARD HEARING <input type="checkbox"/> C. REQUESTED HEARING IN WASHINGTON, DC <input type="checkbox"/> E. NO HEARING REQUESTED <input type="checkbox"/> B. REQUESTING HEARING BY VIDEOCONFERENCE <input checked="" type="checkbox"/> D. REQUESTED HEARING AT A LOCAL VA OFFICE (Travel Board)						
8. REMARKS (Place additional remarks in Box 13, on following page)						
CERTIFICATION: It is hereby certified that all material evidence is of record, that all contentions advanced by and on behalf of the appellant have been considered under all pertinent laws, and the issues determined.						
9. NAME AND LOCATION OF CERTIFYING OFFICE St. Petersburg, FL			10. ORGANIZATIONAL ELEMENT CERTIFYING APPEAL R017			
11A. SIGNATURE OF CERTIFYING OFFICIAL COURTNEY CRIBBS			11B. TITLE DECISION_REVIEW_OFFICER		11C. DATE 04/17/2020	
12A. SIGNATURE OF MEDICAL MEMBER (Insurance use only)			12B. TITLE		12C. DATE	



DEPARTMENT OF VETERANS AFFAIRS

April 20, 2020

TYRONE BUNCH
1820 SW 4TH AVE
OCALA, FL 34471

In reply, refer to:
317/DROC/CEC
File Number: [REDACTED]
TYRONE BUNCH

Dear Mr. BUNCH:

We have certified your appeal to the Board of Veterans' Appeals (Board) in Washington, D.C.

Please note that if you requested a Travel Board or Video conference hearing before a Board Veterans Law Judge, the Board will not be able to take any action on your appeal until your hearing is held.

Sincerely yours,

Regional Office Director

cc: MICHAEL A STEINBERG
4925 Independence Parkway, Suite 195
Tampa FL 33634