

UNITED STATES COURT OF APPEALS
FOR VETERANS CLAIMS

ROBERT J. HARKO,

Petitioner

v.

ROBERT L. WILKIE,
Secretary of Veterans Affairs,

Respondent.

Vet. App. No. 20-1153

**PETITIONER’S UNOPPOSED MOTION FOR VOLUNTARY
DISMISSAL OF THE PETITIONER’S WRIT OF MANDAMUS**

Pursuant to U.S. Vet. App. R. 42, Appellant, by and through his counsel, respectfully moves the Court to dismiss his Petition for a Writ of Mandamus currently before the Court.

1. Both the Petitioner and his appointed representative have agreed that voluntary dismissal of this appeal is the appropriate action in this case. Specifically, in the Petitioner’s Writ of Mandamus submitted to the Court on February 13, 2020, the Petitioner requested that the Jackson, Mississippi Regional Office, or any other Agency of Original Jurisdiction under the National Work Queue, to complete the development ordered by the Board of Veterans’ Appeals in their November 30, 2017 Remand Order and issue a Rating Decision to the Petitioner and his representative granting the Petitioner’s claim for

entitlement to individual unemployability benefits based on his service-connected disabilities and disorders. Specifically, the Petitioner requested that VA complete their request for updated medical records and complete the required Compensation and Pension Examination ordered by the Board.

2. Petitioner received an Exam Scheduling Request for the above issue, as requested, on April 20, 2020; dated April 9, 2020. Therefore, the relief and action sought by the Petitioner is being provided, and the issue that was the subject of the Writ has now become moot.

Pursuant to U.S. Vet. App. R. 42, Appellant respectfully requests that the Court dismiss the Petitioner's Writ associated with Docket Number: 20-1153.

Respondent Robert L. Wilkie, Secretary of Veterans Affairs, through his counsel, Ms. Kristen King-Holland, has been consulted and does not oppose this dismissal of the Petitioner's Writ.

WHEREFORE, Appellant respectfully moves the Court to dismiss his appeal associated with Docket Number 20-1153.

Respectfully submitted.

FOR APPELLANT;

/s/Colin E. Kemmerly

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Done this 21st day of April 2020.