

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

LILLA K. STEPHENS,)	
Petitioner,)	
)	
v.)	Vet. App. No. 20-2108
)	
ROBERT L. WILKIE,)	
Secretary of Veterans Affairs,)	
Respondent.)	

**SECRETARY’S RESPONSE TO COURT ORDER
DATED APRIL 28, 2020**

The Secretary respectfully submits this response to the Court’s April 28, 2020, Order, wherein the Court directed the Secretary to specifically explain why VA did not respond to Petitioner’s requests for information about the status of her claim. See Court Order dated April 28, 2020.

On April 29, 2020, Alice Williams, the Appeals Team Coach at the VA Regional Office (RO) in Jackson, Mississippi, provided a summary of actions taken in Petitioner’s case. She acknowledged that on August 7, 2019, and October 28, 2019, the RO received Petitioner’s inquiries regarding the status of Petitioner’s notice of agreement and Petitioner’s requests that an Statement of the Case (SOC) be issued for her claim. Exhibit 1. Ms. Williams explained that there is no prompt for the RO staff to review mail when documents are uploaded to the Veterans Benefits Management System and that, unless the RO is contacted directly via email or telephone for a status update from the Petitioner or representative, the mail is not acted upon until the RO reviews the case for the

next appropriate action noted. Exhibit 1. In this case, the RO did not receive a request for a status update by one of the standard avenues that the office responds to status inquiries. Ms. Williams noted that the RO regrets not responding to Petitioner's status requests in a timely manner. *Id.* The Secretary similarly apologizes to Petitioner for any inconvenience caused by the delay in obtaining a copy of the August 17, 2017, SOC.

WHEREFORE, the Secretary respectfully responds to the Court's April 28, 2020, Order. Appellee submits this information for the Court's review and any action deemed appropriate.

Respectfully submitted,

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Principle Deputy General Counsel

MARY ANN FLYNN
Chief Counsel

/s/ Selket N. Cottle
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For the Secretary of Veterans Affairs

EXHIBIT 1



Department of Veterans Affairs
VA Regional Office
1600 Woodrow Wilson Avenue
Jackson, MS 39216

DECLARATION OF ALICE WILLIAMS

I, Alice Williams, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury the following:

- I. I am the Appeals Team Coach at the Department of Veterans Affairs (VA) Jackson Regional Office (RO). This declaration is in response to the U.S. Court of Appeals for Veterans Claims Order dated April 28, 2020, in the matter of Lilla Stephens (Petitioner), No. 20-2108. In that order, the Court instructed the Secretary to respond to the Petitioner's petition alleging the VA has failed to respond to the requests dated August 7, 2019 October 21, 2019 for information concerning the status of her appeal for the issue of service connection for personality pattern disturbance, immature (claimed as post- traumatic stress disorder).
- II. The following is the relevant information for Ms. Lilla Stephen's petition.
 1. On August 17, 2017, a Statement of the Case (SOC) was sent to the petitioner for the issue of service connection for personality pattern disturbance, immature, (claimed as post- traumatic stress disorder). The SOC was returned undeliverable on September 25, 2017.
 2. On August 7, 2019 and October 28, 2019, the attorney submitted inquiries regarding the status of the Petitioner's notice of agreement and that a Statement of the Case be issued for her claim. When documents are uploaded to VBMS, this does not prompt the RO to review mail. Unless the RO is contacted directly via email or telephone for a status from the Petitioner and/or representative, the mail is not acted upon until the RO reviews the case for the next appropriate action noted. In this case, a request for a status on this case was not submitted by e-mail to our office by one of the standard avenues that our office responds to status inquiries. Therefore, the status was not acted upon in a timely manner. Our office regrets that we did not respond to these requests in a timely manner.
 3. On April 8, 2020, the Jackson RO received an inquiry via e-mail for the Office of General Counsel regarding the Petitioner's appeal.
 4. On April 9, 2020, the Jackson RO re-mailed the SOC to the Petitioner's current address. The Petitioner has 60 days from this date to perfect her appeal. .

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

Executed on **April 29, 2020.**

Alice G. Williams 207364
Digitally signed by Alice G.
Williams 207364
Date: 2020.04.29 07:51:31 -05'00'

ALICE WILLIAMS
Appeals Team Coach
Department of Veterans Affairs
Jackson Regional Office