

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 19-5567

WILLIE M. RICHARDSON, JR.,

APPELLANT,

v.

ROBERT L. WILKIE,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before MEREDITH, *Judge*.

ORDER

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

Pursuant to the Court's Rules of Practice and Procedure, the Secretary is required to compile the record of proceedings (ROP) and ensure that it includes any document from the record before the agency cited in a brief, in its entirety. U.S. VET. APP. R. 28.1(a)(1)(B). In this case, the Court finds the ROP inadequate for review purposes because the record is missing documents or portions of documents that are referenced in the Secretary's brief.

Therefore, the Court will order the Secretary to file a substitute ROP that includes (1) the complete June 2009 VA examination report, *see* Record (R.) at 8539-40; (2) a May 2010 VA examination report, *see* Secretary's Brief (Br.) at 3 (citing R. at 8088-90); (3) the appellant's Notice of Disagreement to the June 2013 regional office decision, *see* Secretary's Br. at 5 (citing R. at 4694-99); and (4) the complete June 2017 VA examination report, *see* Secretary's Br. at 8-9 (citing R. at 2100-11, 2117-20, 2121-27). In addition, the Secretary should review the parties' briefs and ensure that all other documents cited therein are included, in their entirety, in the substitute ROP. The Secretary must include a list of all new documents that were added to the record and the page numbers of those documents.

Upon consideration of the foregoing, it is

ORDERED that the Secretary, within 5 days of the date of this order, serve on the appellant and file with the Court a substitute ROP as described above.

DATED: May 7, 2020

BY THE COURT:



AMANDA L. MEREDITH
Judge

Copies to:

Willie M. Richardson, Jr.

VA General Counsel (027)