

May 8, 2020

William Lyman

IN THE UNITED STATES COURT OF APPEALS
FOR VETERANS CLAIMS

V.

Vet. App. No. 20-2909-WRIT

ROBERT L. WILKIE,
Secretary of Veterans Affairs,
Respondent.

On April 28, 2020, Petitioner submitted a Petition for Extraordinary Relief with this Court. Petitioner asked this Court to order the Department of Veterans Affairs (VA) to process a remand sought by the Board of Veterans' Appeals in September 2018.

Since then a Regional Office issued a Supplemental Statement of the Case. That is not attached, but is available if this Court deems it warranted. A VA call center has informed undersigned that the case is being returned to the Board.

This Court has adopted the case-or-controversy jurisdiction requirements imposed by Article III of the U.S. Constitution. *Aronson v. Brown*, 7 Vet. App. 153, 155 (1994). When the relief sought by a petition has been obtained, the appropriate course of action is for the Court to dismiss the matter

as moot. *See Chandler v. Brown*, 10 Vet. App. 175, 177 (1997); *Thomas v. Brown*, 9 Vet. App. 269, 270 (1996); *see also Bond v. Derwinski*, 2 Vet. App. 376, 377 (1992)(“When there is no case or controversy, or when a once live case or controversy becomes moot, the Court lacks jurisdiction.”); *Mokal v. Derwinski*, 1 Vet. App. 12, 15 (1990) (dismissing a portion of a petition seeking mandamus relief because the controversy surrounding the petition was moot).

Given that the relief sought has been issued by a Regional Office—ie. processing of the Board remand, this case is now moot.

Counsel for the Secretary is UNOPPOSED to the relief sought.

WHEREFORE, Petitioner, through Counsel, seeks to dismiss the Petition filed April 28.

Respectfully submitted,

May 7, 2020

/s/ Robert W. Legg
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