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UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 20-1584

RICHARD B. TROUSDALE, PETITIONER,

v.

ROBERT L. WILKIE,
SECRETARY OF VETERANS AFFAIRS, RESPONDENT.

Before TOTH, *Judge*.

ORDER

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

Richard B. Trousdale is a state prisoner incarcerated in Florida. He petitioned the Court for extraordinary relief in the nature of a writ of mandamus ordering the Secretary to issue a payment in satisfaction of \$140.05 of disability compensation due but unpaid in 2019. He contended that VA ignored his numerous attempts to contact the Agency and resolve the issue. The Court deferred ruling on the matter and asked the Secretary to respond. He has done so, indicating that VA issued a \$140.05 payment on March 12, 2020, and mailed it to the proper address for such payments.

The Court has adopted the jurisdictional rule from Article III of the U.S. Constitution that only a live case or controversy may be presented for judicial resolution. *Rosinski v. Shulkin*, 29 Vet.App. 183, 189–90 (2018). Generally, when the Secretary provides the relief sought in a petition, there is no longer an active dispute between the parties, and the petition becomes moot. *See Cardona v. Shinseki*, 26 Vet.App. 472, 474 (2014). As the relief sought by Mr. Trousdale in his petition has been provided by the Secretary, the Court deems the petition moot. Accordingly, it is

ORDERED that the petition is DISMISSED for lack of jurisdiction.

DATED: May 13, 2020

BY THE COURT:



JOSEPH L. TOTH
Judge

Copies to:

Richard B. Trousdale

VA General Counsel (027)