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UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 20-2377

BRIAN D. FERNANDEZ, PETITIONER,

v.

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

Before FALVEY, *Judge*.

ORDER

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

On April 3, 2020, Brian Fernandez filed, through counsel, a petition for extraordinary relief in the nature of a writ of mandamus asking the Court to compel the Roanoke Regional Office to forward him a copy of his claims file. On April 6, 2020, the Court ordered the Secretary to respond to the petitioner's allegations. On May 5, 2020, the petitioner moved the Court to dismiss his petition because the Secretary had provided him with a copy of his claims file. He also informed us that the Secretary is unopposed to his motion. On May 6, 2020, we withdrew our order for the Secretary to respond and stayed proceedings pending our resolution of Mr. Fernandez's motion. We will now address the motion to dismiss.

When the relief sought by a petition has been accomplished, the appropriate course is for the Court to dismiss the petition. *Thomas v. Brown*, 9 Vet.App. 269, 270 (1996) (per curiam order). Here, the petitioner has asked us to dismiss his petition because he has received his requested relief. We will grant his motion.

On consideration of the foregoing, it is

ORDERED that the stay of proceedings imposed in the Court's May 6, 2020, order is lifted. It is also

ORDERED that the petitioner's motion to dismiss is granted and the petition is DISMISSED. It is also

ORDERED that, under U.S. Vet. App. Rule 41(b)(2), this order constitutes the judgment and mandate of the Court.

DATED: May14, 2020

BY THE COURT:

A handwritten signature in blue ink, appearing to read "J. Falvey, Jr.", with a stylized flourish at the end.

JOSEPH L. FALVEY, JR.
Judge

Copies to:

Mark R. Lippman, Esq.

VA General Counsel (027)