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

No. 18-6654

SAMUEL E. WALDEN, JR., APPELLANT,

v.

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

Before BARTLEY, *Chief Judge*, and PIETSCH and ALLEN, *Judges*.

**ORDER**

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

Appellant Samuel E. Walden, Jr., appeals an August 30, 2018, Board of Veterans' Appeals (Board) decision denying service connection for adenocarcinoma of the colon as secondary to exposure to ionizing radiation. In March 2020, this matter was submitted to a panel of the Court and on April 20, 2020, oral argument was scheduled for May 7, 2020. On April 24, 2020, the Court granted the Secretary's motion to reschedule oral argument and on May 4, 2020, oral argument was scheduled for July 17, 2020.

On July 7, 2020, the parties filed a joint motion for remand. In the joint motion, the parties agree that the Board provided an inadequate statement of reasons or bases. Specifically, they agree that (1) the Board failed to adequately address the December 2016 opinion from the Undersecretary for Benefits and that (2) the Board must address whether 38 C.F.R. § 3.311(a)(2)(iii) requires further development with respect to the dose estimate.

The Court will grant the parties' motion. Based on the parties' implicit waiver of their appellate rights, under 41(c)(3) of the Court's Rules of Practice and Procedure, this order will serve as the mandate of the Court. *See Bly v. Shulkin*, 883 F.3d 1374, 1377 (Fed. Cir. 2018).

Upon consideration of the foregoing, it is

ORDERED that the parties' joint motion for remand is GRANTED. It is further

ORDERED that this order is the final judgment and mandate of the Court.

DATED: July 21, 2020

PER CURIAM.

Copies to:

Glenn R. Bergmann, Esq.

VA General Counsel (027)