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UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 19-1779

SHADRONA SHAHID-CARTER, APPELLANT,

v.

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

Before GREENBERG, ALLEN, and FALVEY, *Judges*.

ORDER

Appellant Shadrona Shahid-Carter appeals a February 14, 2019, Board of Veterans' Appeals decision that denied a disability rating higher than 50% effective before May 11, 2018, for PTSD.¹ On June 9, 2020, this matter was submitted to a panel of the Court and oral argument was scheduled for August 11, 2020. On August 10, 2020, the parties filed a joint motion to terminate the appeal, along with a stipulated agreement.

In the stipulated agreement, the parties agree to the following: (1) The Secretary will direct VA to award the appellant a 70% disability rating for PTSD effective January 15, 2010; (2) upon final disposition by the Court, the Secretary shall promptly notify VA of the agreement so that it can be implemented; (3) the Secretary does not concede error; (4) this appeal will be terminated "as to all issues presently before this Court and addressed in the February 14, 2019, Board decision"; and (5) the agreement is entered into for the purpose of avoiding further litigation and is limited to the facts of this case.²

The Court will grant the parties' motion in full. Based on the parties' implicit waiver, and consistent with Rule 41(c)(2) and (3) of the Court's Rules of Practice and Procedure, this order will serve as the mandate of the Court.³

Upon consideration of the foregoing, it is

ORDERED that the parties' joint motion to terminate is GRANTED. It is further

¹ The Board also denied service connection for hyperthyroidism. Appellant waived any appeal as to that issue because she raised no argument about it. *See Pederson v. McDonald*, 27 Vet.App. 276, 281-86 (2015) (en banc).

² Joint Motion To Terminate at 4.

³ *See Bly v. Shulkin*, 883 F.3d 1374, 1377 (Fed. Cir. 2018).

ORDERED that this order is the mandate of the Court.

DATED: August 18, 2020

PER CURIAM.

Copies to:

Mark R. Lippman, Esq.

VA General Counsel (027)