

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 19-3317

HUGH D COX, JR.,

APPELLANT,

v.

ROBERT L. WILKIE,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

ORDER

On September 8, 2020, the appellant, through counsel, filed an unopposed motion to stay proceedings for 60 days pursuant to U.S. Vet. App. Rule 5(a)(3). In his motion, the appellant asserts, *inter alia*, that: (1) pursuant to U.S. Vet. App. Rule 3(b), he was required to and has now realized he did not serve a copy of his Notice of Appeal (NOA) on Mr. Leroy Brinkley as a party of the proceedings before the Board of Veterans' Appeal; (2) the parties agree that the proceedings should be stayed to allow for service to be made on Mr. Brinkley and allow him an opportunity to intervene; and (3) appellant's counsel has filed with the Court his service of the NOA and right to intervene on Mr. Brinkley. On September 8, 2020, the appellant filed with the Court his notice of service of his NOA and right to intervene on Mr. Brinkley

The Court notes that proceedings were not stayed during the period of September 8, 2020, through September 18, 2020, and the appellant filed his reply brief on September 18, 2020, so the Court will stay proceedings beginning on September 18, 2020. It is

ORDERED that the appellant's unopposed motion to stay proceedings for 60 days is granted *nun pro tunc* to September 18, 2020.

DATED: October 7, 2020

FOR THE COURT:

GREGORY O. BLOCK
Clerk of the Court

By: /s/ Cynthia M. Brandon-Arnold
Cynthia M. Brandon-Arnold
Chief Staff Attorney/Deputy Clerk

Copies to:

Kenneth M. Carpenter, Esq.

VA General Counsel (027)

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