

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

<b>JOSE F. RIVERA-COLON,</b>	)	
	)	
Appellant,	)	
	)	
v.	)	Vet. App. No. 19-6129
	)	
<b>DENIS MCDONOUGH,</b>	)	
Secretary of Veterans Affairs,	)	
	)	
Appellee.	)	

**APPELLEE’S MOTION FOR A 5-DAY EXTENSION OF TIME,  
UNTIL SEPTEMBER 21, 2021, TO FILE A RESPONSE  
TO THE COURT’S SEPTEMBER 2, 2021, ORDER**

Pursuant to U.S. Vet. App. Rules 26 and 27, Appellee Denis McDonough, Secretary of Veterans Affairs (Secretary), respectfully moves this Court for a 5-day extension of time, until September 21, 2021, to file his supplemental memorandum of law as directed in the Court’s September 2, 2021, order (Order).

The Secretary’s memorandum in response to the Court’s Order is due to be filed by September 16, 2021, or 14 days after the Court issued its September 2, 2021, order. However, although the Court issued the order on September 2, 2021, its filing system experienced technical difficulties, resulting in the Secretary being unable to view or access this Order at that time. As a result, the Secretary did not receive notice of the Order until Sunday, September 5, 2021, and he was not able to view or access the Order until Tuesday, September 7, 2021, when the

Court reopened after the Labor Day holiday. Accordingly, the Secretary requests additional time to respond to this Court's September 2, 2021, Order.

Appellant has previously been granted 0 days extension for this action, and a total of 0 days extension in the case thus far. Appellant has been granted 90 days extension in the case thus far. On behalf of the Secretary, counsel expresses regret to the Court and Appellant for any inconvenience caused by the delay in filing the Secretary's response.

Counsel for Appellant does not oppose this motion.

**WHEREFORE**, Appellee, Secretary of Veterans Affairs, respectfully requests that the Court grant his motion for a 5-day extension of time, until September 21, 2021, to file his response to the Court's September 2, 2021, Order.

Respectfully submitted,

**RICHARD A. SAUBER**  
General Counsel

**MARY ANN FLYNN**  
Chief Counsel

Date: September 7, 2021

/s/ Christopher W. Wallace  
**CHRISTOPHER W. WALLACE**  
Deputy Chief Counsel

/s/ Carson M. Garand  
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