

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 20-6259

JOE N. BRADDY, JR.,

APPELLANT,

v.

DENIS McDONOUGH,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before GREENBERG, MEREDITH, and JAQUITH, *Judges*.

ORDER

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

The appellant, Joe N. Braddy, Jr., through counsel appeals a July 21, 2020, Board of Veterans' Appeals (Board) decision that, in part, denied entitlement to an initial disability rating in excess of 10% for status-post old post-traumatic ligamentous calcification parallel to medial metaphyseal region distal femur, also described as degenerative joint disease, of the left knee from July 21, 2009, to June 1, 2017. This matter was referred to a panel of the Court to address whether the Board, when it adjudicates entitlement to a higher initial disability rating for a service-connected condition, is required to address whether an intervening VA regional office decision severing service connection for that disability was proper if an appeal as to the severance decision was not perfected. The Court heard oral argument on February 3, 2022.

On March 8, 2022, the Court issued an order seeking additional briefing from the parties. The Secretary, on March 14, 2022, filed an unopposed motion seeking a 45-day extension of time to file his supplemental brief, noting that lead counsel is on leave for active duty military service and that co-counsel's need to familiarize himself with this case, as well as his heavy workload and previously-scheduled leave, necessitates additional time.

Upon consideration of the foregoing, it is

ORDERED that the Secretary's motion to extend time to file his supplemental brief is granted. It is further

ORDERED that proceedings are otherwise stayed pending further order of the Court.

DATED: March 14, 2022

PER CURIAM.

Copies to:

Zachary M. Stolz, Esq.

VA General Counsel (027)