

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

**WALTER P. JONES,**  
**Petitioner,**

**v.**

**No. 22-1216**

**DENIS MCDONOUGH,**  
**Secretary of Veterans Affairs,**  
**Respondent.**

**MOTION REQUESTING LEAVE OF COURT TO FILE A REPLY TO  
THE VA'S RESPONSE TO THE PETITIONER'S REQUEST FOR  
EXTRAORDINARY RELIEF.**

On March 1, 2022, Mr. Jones filed a Petition for Issuance of the Writ of Mandamus, asking the Court to order the VA to adjudicate his 2011 claim. That claim was most recently before the Court two-years ago when, on June 30, 2020, the Court issued a mandate that effectuated a grant of a Joint Motion to Remand.<sup>1</sup> The Court's order incorporated the terms of the Joint Motion to Remand, which required the Secretary to "take such actions as may be necessary to provide for the expeditious treatment" of this claim. 38 U.S.C. § 7112."<sup>2</sup> The appeal was remanded, by the BVA to the VA, in January 2021.

On March 7, 2022, the Court ordered that the Mr. Jones file a response addressing the steps he has taken since January 2021 to obtain adjudication

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<sup>1</sup> *Mandate*, (June 30, 2020).

<sup>2</sup> *Joint Motion to Remand*, page 5 (April 3, 2020); *Order granting Remand*, (April 8 2020).

of his claim within 5 days and ordered that the Secretary, file a response to the petition and supplemental pleading within 30 days after Mr. Jones serves and files his response. Mr. Jones filed his response on March 11, 2022. On April 6, 2022, the VA submitted the Secretary's Response.

Mr. Jones requests leave of Court to file a Reply to that Response.

Mr. Jones has conferred with Counsel for the Secretary, who indicated that the Secretary does not take a position to this motion.

Mr. Jones respectfully requests that the Court grant leave to file a reply. Mr. Jones believes that certain assertions of fact and law in the Secretary's Response merit a reply and a more complete picture for the Court. Mr. Jones believes his reply will assist the Court in reaching the correct decision in this Petition.

Mr. Jones respectfully requests the Court grant him 21-days to file the appeal, beginning on the date of any Court Order granting him leave to file a reply to the Secretary's response.

**DATE: April 7, 2022**

Respectfully submitted,  
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