

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 20-3047

GLORIA J. GREER,

APPELLANT,

v.

DENIS McDONOUGH,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before BARTLEY, *Chief Judge*, and TOTH and JAQUITH, *Judges*.

ORDER

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

The appellant, Gloria J. Greer, appeals through counsel a January 8, 2020, Board of Veterans' Appeals (Board) decision denying veteran Walter Brinkman nonservice-connected pension benefits. Upon Mr. Brinkman's death, the Court granted Ms. Greer's motion for substitution on January 31, 2022.

On May 6, 2022, the Court stayed proceedings in this case pending issuance of *Cowan v. McDonough*, _ Vet.App. _ , No. 20-6227 (June 13, 2022) because the cases shared the issue of whether, under the Veterans Appeals Improvement and Modernization Act, the notice requirements of 38 U.S.C. § 5104 apply to Board decisions and the resolution of *Cowan* might create precedent that would have a direct impact on the disposition of this appeal. However, on June 21, 2022, the appellant filed an unopposed motion to lift the Court's stay, stating that *Cowan* did not address that issue. Because *Cowan* did not reach the shared issue and thus left it to be answered in the present case, the Court lifts the stay of proceedings instituted on May 6, 2022.

Upon consideration of the foregoing, it is

ORDERED that the stay of proceedings instituted on May 6, 2022, is lifted. It is further

ORDERED that the Clerk will schedule oral argument as the business of the Court permits.

DATED: July 15, 2022

PER CURIAM.

Copies to:

Kenneth M. Carpenter, Esq.

VA General Counsel (027)