

UNITED STATES COURT OF APPEALS
FOR VETERANS CLAIMS

JESSIE B LEWIS,
Petitioner

V.

ROBERT WILKIE,
Secretary of Veterans Affairs,
Respondent

Docket No. 18-2075

MOTION FOR LEAVE
TO FILE OUT OF TIME

NOW COMES the petitioner, through counsel, and moves pursuant to Rule 30 for leave to file petitioner's statement os supplemental authorities out of time. Although, supplemental authorities were due seven days before the oral argument on Tuesday, January 22, counsel filed these supplemental authorities in part in response to the filing by the Respondent Secretary which counsel received only on January 15, 2019, filing two days thereafter. However, as a result, filing of the supplemental authorities was late and is now out of time and requires this motion.

To the extent Rule 26 is applicable to motions for leave to file out of time, please note pursuant to Rule 26 (b) please note that the Respondent previously sought and was granted an extension of time to respond to the petition. No other extensions have been sought by or granted to either party.

Counsel has contacted Joshua Wolinsky , Esq., attorney for the Secretary, to ascertain his position on the motion and is authorized to report that the motion is unopposed.

WHEREFORE, the appellant moves for leave to file the corrected statement of supplemental authorities out of time in this matter, on January 18, 2019.

Dated: January 18, 2019

/s/Francis M. Jackson
Francis M. Jackson, Me. Bar No. 000045

CERTIFICATE OF SERVICE

On January 18, 2019 a copy of this motion for leave to file out of time was electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following attorney(s):

Joshua L. Wolinsky, Esq.
General Counsel (027)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

/s/Francis M. Jackson
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