

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

Karen R. Shorette,)	
Petitioner,)	
)	
v.)	No. 22-4698
)	
Denis McDonough,)	
Secretary of Veterans Affairs,)	
Respondent.)	
_____)	

SOLZE NOTICE

Petitioner Karen R. Shorette submits this notice of potentially relevant information pursuant to the Court’s holding in *Solze v. Shinseki*, 26 Vet. App. 299, 301 (2013).

On *December 21, 2022*, Mrs. Shorette submitted a request for a complete copy of *both* (1) her husband’s VA Claims File and (2) her husband’s VA Fiduciary file. Only after the repeated assistance of Secretary’s counsel was a disk with a file of 1,358 pages finally delivered by UPS today, May 8, 2023, the day before argument.

Further, the April 19, 2023, cover letter with the disk states that the disk contained only “entire *VA claims folder* on file at this office.” *See* attached Exhibit at 1 (emphasis supplied). So, once again, not even the Secretary’s attorneys can cajole Fiduciary Program officials into satisfy their legal duties. *See, e.g., Burke v. McDonough*, CAVC No. 20-8651, Mem. Dec. (Dec. 29, 2022)

(BVA inability to obtain Fiduciary File required remand to ensure entire administrative record reviewed).

In any event, a cursory review of the records actually produced in this case identified several records that appear relevant to the issues before the Court, especially the issue of Mrs. Shorette's efforts to obtain a decision on her reinstatement as her husband's VA fiduciary. These records are attached.

Mrs. Shorette, therefore, respectfully submits that this information is relevant to and is properly considered in adjudicating the matter at bar.

Respectfully submitted,

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