

**NONPRECEDENTIAL DISPOSITION**

To be cited only in accordance with FED. R. APP. P. 32.1

**United States Court of Appeals**

**For the Seventh Circuit**

**Chicago, Illinois 60604**

Submitted June 30, 2023\*

Decided July 5, 2023

**Before**

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge*

No. 22-3244

BURDELL VAUGHN,  
*Plaintiff-Appellant,*

*v.*

DENIS R. MCDONOUGH,  
Secretary of Veterans Affairs, et al.,  
*Defendants-Appellees.*

Appeal from the United States District  
Court for the Northern District of  
Illinois, Eastern Division.

No. 1:22-cv-01037

Harry D. Leinenweber,  
*Judge.*

**ORDER**

Burdell Vaughn, an Air Force veteran, contends that the Secretary of Veterans Affairs denied his disability claim in violation of his due process rights. The district court concluded that it lacked subject-matter jurisdiction to decide his case. We affirm.

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\* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

In 2019, Vaughn applied for disability benefits from the Department of Veterans Affairs challenging the denial of an earlier application—based on chronic lower back pain—that dated back to 1992. In his 2019 application, Vaughn contended that the Department misconstrued and wrongly denied his earlier claim: He asserted that the Department denied his claim because he missed a scheduled medical exam, even though at the time he was confined to one of the Department’s mental health facilities. The Department administratively denied his 2019 claim, concluding that his back injury did not warrant increased benefits. He appealed to the Board of Veterans’ Appeals, which upheld the Department’s decision. He then moved the Board to reconsider, reiterating that the Department bore responsibility for ensuring his attendance at the missed appointment.

While the motion to reconsider was pending, Vaughn brought this suit against the Secretary and Veterans Affairs employees for denying benefits with procedural irregularities.

The district court dismissed the suit for lack of subject-matter jurisdiction under the Veterans’ Judicial Review Act. Under that Act, the court explained, decisions of the Board of Veterans’ Appeals may be challenged only in the United States Court of Appeals for Veterans Claims, and appeals from those decisions may be taken only to the United States Court of Appeals for the Federal Circuit.

On appeal, Vaughn generally argues that federal courts have jurisdiction to hear claims like his that assert violations of constitutional rights. But the district court properly concluded that it lacked jurisdiction over his claims. The Veterans’ Judicial Review Act establishes the exclusive review procedure through which veterans may challenge Veterans Affairs adjudication of their individual benefits claims. 38 U.S.C. § 511(a); see *Evans v. Greenfield Banking Co.*, 774 F.3d 1117, 1121 (7th Cir. 2014). The Court of Appeals for Veterans Claims, which sits separate from the Board, maintains “exclusive jurisdiction” to review Board decisions. 38 U.S.C. § 7252(a). Decisions from the Court of Appeals for Veterans Claims can then be appealed to the Federal Circuit. *Id.* § 7292(c). Vaughn may not do an “end-run around” these jurisdictional limits by cloaking his challenge in constitutional terms. *Evans*, 774 F.3d at 1124.

AFFIRMED