

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

MARCUS SEBASTIAN PAYNE,
Claimant-Appellant,

v.

**SLOAN D. GIBSON, ACTING SECRETARY OF
VETERANS AFFAIRS,**
Respondent-Appellee.

2014-7073

Appeal from the United States Court of Appeals for
Veterans Claims in No. 13-3384, Judge William A. Moor-
man.

ON MOTION

PER CURIAM.

ORDER

Marcus Sebastian Payne moves for the court to take judicial notice of certain documents that he states were not before the Court of Appeals for Veterans Claims ("Veterans Court"). He separately moves to supplement the appendix and for leave to file a supplemental brief.

The record on appeal should only include the papers and exhibits filed in the Veterans Court. *See* Fed. R. App. P. 10(a). Although the Federal Rules of Evidence authorize judicial notice of certain documents outside of the record, the court is not persuaded that such action is warranted here. *See* Fed. R. Evid. 201. Additionally, the rules do not contemplate filing a supplemental brief. *See* Fed. R. App. P. 28.

Accordingly,

IT IS ORDERED THAT:

The motions are denied.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court