

NOTE: This disposition is nonprecedential.

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

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**ADAM A. SHIRK,**  
*Claimant-Appellant*

v.

**PETER O'ROURKE, ACTING SECRETARY OF  
VETERANS AFFAIRS,**  
*Respondent-Appellee*

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2017-1831

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Appeal from the United States Court of Appeals for  
Veterans Claims in No. 15-3079, Senior Judge Alan G.  
Lance, Sr.

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**JUDGMENT**

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KENNETH M. CARPENTER, Law Offices of Carpenter  
Chartered, Topeka, KS, argued for claimant-appellant.

JANA MOSES, Commercial Litigation Branch, Civil  
Division, United States Department of Justice, Washing-  
ton, DC, argued for respondent-appellee. Also represent-  
ed by MOLLIE LENORE FINNAN, ALLISON KIDD-MILLER,  
ROBERT EDWARD KIRSCHMAN, JR., CHAD A. READLER;  
CHRISTOPHER O. ADELOYE, Y. KEN LEE, Office of General

Counsel, United States Department of Veterans Affairs,  
Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, SCHALL, and WALLACH, *Circuit  
Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

July 11, 2018  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court