

NOTE: This order is nonprecedential.

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

JAMES NATHANIEL DOUSE,
Claimant-Appellant

v.

**DENIS MCDONOUGH, Secretary of Veterans Af-
fairs,**
Respondent-Appellee

2023-2195

Appeal from the United States Court of Appeals for
Veterans Claims.

Before LOURIE, MAYER, and STARK, *Circuit Judges*.

PER CURIAM.

O R D E R

Having considered the parties' responses to the court's August 3, 2023, order to show cause, we dismiss the appeal.

Section 7292 of Title 38 of the U.S. Code gives us jurisdiction to review final decisions of the United States Court of Appeals for Veterans Claims. To be timely, a notice of appeal must be received by the Veterans Court within 60 days of the entry of judgment. *See* 38 U.S.C. § 7292(a); *see also* 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1)(B). That

statutorily prescribed time for filing appeals from the Veterans Court to this court is jurisdictional. *See Wagner v. Shinseki*, 733 F.3d 1343, 1348 (Fed. Cir. 2013); *see also Henderson v. Shinseki*, 562 U.S. 428, 438–39 (2011) (indicating jurisdictional restrictions on the time for taking an appeal under section 7292(a)). The only decision of the Veterans Court that James Nathaniel Douse’s filings reference is an October 24, 2022, decision.* And judgment in that case was entered more than 60 days before the date of his notice of appeal. Moreover, as we previously explained to Mr. Douse, given the failure to timely appeal that judgment, mandamus review would likewise be inappropriate. *See In re Douse*, No. 2023-124, slip op. at 3 (Fed. Cir. Apr. 17, 2023).

Accordingly,

IT IS ORDERED THAT:

- (1) The appeal is dismissed.
- (2) Each side to bear its own costs.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

November 6, 2023
Date

* Mr. Douse references a May 2023 remand decision of the Board of Veterans’ Appeals and a May 2023 Rating Decision of the Department of Veterans Affairs Regional Office. However, Mr. Douse has not identified, and we are not aware of, any authority that would permit us to directly review the decisions of the Board or the Regional Office.