

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2007-7003

BENNY R. ROPER,

Claimant-Appellant,

v.

R. JAMES NICHOLSON, Secretary of Veterans Affairs,

Respondent-Appellee.

Kenneth M. Carpenter, Carpenter, Chartered, of Topeka, Kansas, argued for claimant-appellant.

Meredyth D. Cohen, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, for respondent-appellee. With her on the brief were Peter D. Keisler, Assistant Attorney General, Jeanne E. Davidson, Director, and Steven J. Gillingham, Assistant Director. Of counsel on the brief were David J. Barrans, Deputy Assistant General Counsel and Ethan G. Kalett, Attorney, United States Department of Veterans Affairs, of Washington, DC. Of counsel was Brian T. Edmunds and Gregory T. Jaeger, Attorneys, United States Department of Justice, of Washington, DC.

Appealed from: United States Court of Appeals for Veterans Claims

Judge Robert N. Davis

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2007-7003

BENNY R. ROPER,

Claimant-Appellant,

v.

R. JAMES NICHOLSON, Secretary of Veterans Affairs,

Respondent-Appellee.

Judgment

ON APPEAL from the United States Court of Appeals for Veterans Claims
in CASE NO(S). 04-0233

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (MICHEL, Chief Judge, MOORE, Circuit Judge, and COTE*, District Judge).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED: September 7, 2007

/s/ Jan Horbaly
Jan Horbaly, Clerk

* Honorable Denise Cote, District Judge, United States District Court for the Southern District of New York, sitting by designation.