

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-7122

CHARLES SMITH,

Claimant-Appellant,

v.

ERIC K. SHINSEKI, Secretary of Veterans Affairs,

Respondent-Appellee.

Appeal from the United States Court of Appeals for Veterans Claims
in 06-0348, Judge Alan G. Lance, Sr.

ON MOTION

ORDER

Upon consideration of the appellant's unopposed motion to voluntarily dismiss his appeal,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

MAY - 8 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

cc: Kenneth M. Carpenter, Esq.
Scott D. Austin, Esq.

MAY - 8 2009

s8

JAN HORBALY
CLERK

MAY - 8 2009

ISSUED AS A MANDATE: _____