

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-7047

ALPHONSE J. WOMACK,

Claimant-Appellant,

v.

ERIC K. SHINSEKI, Secretary of Veterans Affairs,

Respondent-Appellee.

Appeal from the United States Court of Appeals for Veterans Claims in  
06-2993, Judge Alan G. Lance, Sr.

ON MOTION

Before SCHALL, Circuit Judge.

## ORDER

The Secretary of Veterans Affairs moves to remand this appeal or in the alternative moves for an extension of time to file his brief.

We deem it the better course to have the parties address the issue in their briefs.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion to remand is denied.
- (2) The motion for an extension of time is granted. The Secretary's brief is due within 28 days from the date of filing of this order.

**DEC 29 2009**

Date

cc: Adam Michael Raviv, Esq.  
Allison Kidd-Miller, Esq.

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FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly  
Clerk

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

**DEC 29 2009**

**JAN HORBALY  
CLERK**