

NOTE: This disposition is nonprecedential.

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

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**WILLIAM J. SWIFT,**  
*Claimant-Appellant,*

v.

**ERIC K. SHINSEKI, Secretary of Veterans Affairs,**  
*Respondent-Appellee.*

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2013-7035

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Appeal from the United States Court of Appeals for  
Veterans Claims in No. 11-1750, Judge William A. Moor-  
man.

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**JUDGMENT**

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

TARA K. HOGAN, Trial Attorney, Commercial Litiga-  
tion Branch, Civil Division, United States Department of  
Justice, of Washington, DC, argued for respondent-  
appellee. On the brief were STUART F. DELERY, Acting  
Assistant Attorney General, and JEANNE E. DAVIDSON,  
Director. Of counsel on the brief were MICHAEL J.  
TIMINSKI, Deputy Assistant General Counsel, and

MEGHAN D. ALPHONSO, Attorney, United States Department of Veterans Affairs, of Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, DYK, and WALLACH, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

January 9, 2014  
Date

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court