

NOTE: This disposition is nonprecedential.

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

ESTATE OF JASON ALLEN SMALLWOOD,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2017-1915

Appeal from the United States Court of Federal
Claims in No. 1:16-cv-00700-CFL, Judge Charles F.
Lettow.

JUDGMENT

JONATHAN BRYAN KELLY, Jonathan Kelly & Associ-
ates, Raleigh, NC, argued for plaintiff-appellant.

NATHANAEL YALE, Commercial Litigation Branch,
Civil Division, United States Department of Justice,
Washington, DC, argued for defendant-appellee. Also
represented by CHAD A. READLER, ROBERT E. KIRSCHMAN,
JR., MARTIN F. HOCKEY, JR.; SHESY DAVIS, Litigation
Division, United States Army Judge Advocate General's
Corps, Ft. Belvoir, VA; WILLIAM KLOTZBUCHER, Office of

General Counsel, United States Department of Veterans
Affairs, Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

April 5, 2018

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court