

NOTE: This order is nonprecedential.

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

CHRISTOPHER A. VACA,
Claimant-Appellant

v.

**DENIS MCDONOUGH, Secretary of Veterans Af-
fairs,**
Respondent-Appellee

2022-1776

Appeal from the United States Court of Appeals for
Veterans Claims in No. 19-8745, Judge Joseph L. Toth.

PER CURIAM.

O R D E R

On October 7, 2021, this court dismissed Christopher A. Vaca's appeal from a decision of the Court of Appeals for Veterans Claims for lack of jurisdiction. *See Vaca v. McDonough*, No. 2021-2022 (Fed. Cir. Oct. 7, 2021), ECF No. 22. This court subsequently denied his petition for rehearing and issued mandate. Following the issuance of mandate, Mr. Vaca submitted a "motion for full court reconsideration" on January 4, 2022. *Vaca v. McDonough*, No. 2021-2022, ECF No. 28 (capitalization omitted). On January 6, 2022, this court informed Mr. Vaca by letter

that his appeal before this court was closed, that no further action would be taken on his submitted documents, and that further related filings would receive no response. The Veterans Court subsequently issued its mandate in the case on March 21, 2022. On April 5, 2022, the Veterans Court received a notice of appeal from Mr. Vaca, indicating, among other things, his desire to appeal from the Veterans Court's issuance of mandate. His notice of appeal and briefing filed here also indicate a desire to challenge this court's handling of his January 4, 2022, motion.

Pursuant to 38 U.S.C. § 7292, not every action taken by the Veterans Court is appealable. Section 7292(a) provides that, in general, a party may only seek review of a decision of the Veterans Court and only with respect to the validity or interpretation of a statute or regulation relied on by the court in making its decision. If an appeal does not meet these criteria, 38 U.S.C. § 7292(d) requires dismissal. *See In re Bailey*, 182 F.3d 860, 870 (Fed. Cir. 1999). At bottom, Mr. Vaca is attempting to relitigate his prior appeal by appealing from the Veterans Court's entry of the mandate in the very same matter. But the Veterans Court's issuance of its mandate in this matter merely carried out its earlier judgment, which was left undisturbed by our previous decision; it was not an otherwise appealable decision. We accordingly lack jurisdiction over Mr. Vaca's current appeal. As to Mr. Vaca's arguments concerning the handling of his January 4, 2022, motion, this court has already informed him that his prior appeal is closed and that no further action would be taken.

Accordingly,

IT IS ORDERED THAT:

- (1) This matter is dismissed.

VACA v. MCDONOUGH

3

(2) Each side shall bear its own costs.

FOR THE COURT

June 27, 2022
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court