

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 09-4520

EXCELL WHITNEY, APPELLANT,

v.

ERIC K. SHINSEKI,
SECRETARY OF VETERANS AFFAIRS, APPELLEE.

Before HAGEL, MOORMAN, and LANCE, *Judges*.

ORDER

On April 29, 2010, the Court dismissed this appeal for lack of jurisdiction. On June 7, 2010, the appellant filed a timely motion for reconsideration or, in the alternative, for a panel decision pursuant to Rule 35 of the Court's Rules of Practice and Procedures.

On consideration of the foregoing, and the parties' prior pleadings, it is

ORDERED, by the single judge, that the motion for reconsideration is denied. It is further

ORDERED, by the panel, that the motion for a panel decision is denied.

DATED: July 26, 2010

PER CURIAM.

Copies to:

Excell Whitney

VA General Counsel (027)