

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 10-cv-02966-REB-BNB

HENRY SHELDON FELLERMAN, JR.,

Plaintiff,

v.

THE UNITED STATES ARMY, and
UNITED STATES SECRETARY OF THE ARMY, JOHN M. McHUGH,

Defendants.

ORDER

Blackburn, J.

The matter is before me on the **Unopposed Motion To Remand** [#9] filed February 2, 2011. After reviewing the motion and the file, I conclude that the motion should be granted and that this action should be remanded to the Army Board for Correction of Military Records.

THEREFORE, IT IS ORDERED as follows:

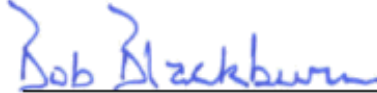
1. That the **Unopposed Motion To Remand** [#9] filed February 2, 2011, is **GRANTED**;
2. That the decision of the Army Board of Correction of Military Records that is the subject of this civil action – Army Board of Correction of Military Records Docket No. AR20090012215 – is **REMANDED** for consideration by the Army Board for Correction of Military Records;

3. That plaintiff **SHALL BE GIVEN** the opportunity to submit additional evidence to the Army Board for Correction of Military Records for its review; and

4. That this case is **CLOSED**.

Dated February 2, 2011, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge