

# In The United States Court of Federal Claims

No. 09-370C

(Filed: September 9, 2010)

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NATHANIEL WAYNE GAY,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## ORDER

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On August 20, 2010, the parties filed a joint status report indicating how this case should proceed. Plaintiff requested the court remand his remaining claims to the Army Board for the Correction of Military Records (ABCMR). Defendant does not oppose plaintiff's request. Consistent with that proposal, the court hereby orders the following:

1. Proceedings in this case are **STAYED** until further order;
2. This case is **REMANDED** to the Army Board for the Correction of Military Records to consider: (i) plaintiff's wrongful discharge claim; (ii) plaintiff's claim for back pay; and (iii) any other matters that plaintiff presents in writing to the ABCMR regarding his separation (*e.g.*, his medical disability claim); and
3. On or before March 9, 2011, and every 6 months thereafter, defendant shall file an interim status report regarding the remand proceedings. Defendant shall also notify the court once the ABCMR has resolved plaintiff's claims.

**IT IS SO ORDERED.**

s/ Francis M. Allegra  
Francis M. Allegra  
Judge