

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**Robert R. Mosley**

Plaintiff

vs.

**CASE NUMBER: 7:10-CV-973 (NAM/GHL)**

**Department of the Navy**

Defendant

**Decision by Court.** This action came to hearing before the Court.  
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Motion to Appoint Counsel is denied as moot; the Motion to Remand is granted, based on defendant's concession in its Status Report; it is ordered that plaintiff's 2006 and 2010 applications contain new material evidence or other matter warranting reconsideration, and thus the 2006 and 2010 determinations are vacated and the applications shall be forwarded to the BCNR for decision on the merits, the Motion for Summary Judgment is granted only to the extent of vacating the 2006 and 2010 determinations and is otherwise denied, plaintiff's # 82 Letter Motion is denied, and the # 67, 70, 73, 74, 76, and 83 Letter Motions are denied as moot. This case is hereby closed.

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue, dated the 29<sup>th</sup> day of December, 2011.

DATED: December 29, 2011

  
Clerk of Court

s/

---

Joanne Bleskoski  
Deputy Clerk