

NOTE: This disposition is nonprecedential.

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

RUSSELL L. BAILEY,
Claimant-Appellant,

v.

**Eric K. Shinseki, SECRETARY OF VETERANS
AFFAIRS,**
Respondent-Appellee.

2013-7052

Appeal from the United States Court of Appeals for
Veterans Claims in No. 11-0465, Judge Lawrence B.
Hagel.

ON MOTION

PER CURIAM.

ORDER

The Secretary of Veterans Affairs submits his “informal brief with supplemental appendix and motion to dismiss.”

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To the extent that the Secretary moves to dismiss such motion is deferred to the merits panel assigned to hear the case.

Accordingly,

IT IS ORDERED THAT:

The motion to dismiss shall be deferred to the merits panel.

FOR THE COURT

/s/ Jan Horbaly
Jan Horbaly
Clerk

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