

NOTE: This order is nonprecedential.

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

MICHAEL W. BLASHFORD,
Claimant-Appellant,

v.

ERIC K. SHINSEKI, Secretary of Veterans Affairs,
Respondent-Appellee.

2013-7094

Appeal from the United States Court of Appeals for
Veterans Claims in No. 11-575, Chief Judge Bruce E.
Kasold.

ON MOTION

Before TARANTO, BRYSON, and HUGHES, *Circuit Judges.*

PER CURIAM

ORDER

Mr. Blashford moves to vacate the court's order of March 11, 2014, which denied his motion for leave to proceed in forma pauperis. We deny his motion to vacate in every respect but one. We correct the \$500 amount of

the filing fee stated in the March 11th order, changing it to \$450.

In accordance with 28 U.S.C. § 1913, last year the Judicial Conference of the United States approved changes to the miscellaneous-fees schedule for courts of appeals. The changes, effective December 1, 2013, increased from \$450 to \$500 the fee for docketing a case on appeal. Mr. Blashford filed his notice of appeal on May 3, 2013. Although the court dismissed the appeal for failure to prosecute on October 17, 2013 (and issued the mandate that same day), it reinstated the appeal on November 19, 2013. Because Mr. Blashford's appeal was both docketed and reinstated before the December 1st effective date of the fee increase, he should have been charged a \$450, rather than \$500, filing fee. The Clerk will direct the custodian of Mr. Blashford's prison account to change the amount assessed to \$450.

Accordingly,

IT IS ORDERED THAT:

The motion to vacate the court's order of March 11, 2014, is denied, except to change the assessed filing fee from \$500 to \$450.

FOR THE COURT

May 15, 2014

Date

/s/ Daniel E. O'Toole

Daniel E. O'Toole

Clerk of Court

cc: Michael W. Blashford
Lauren Moore