

NOTE: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record.

United States Court of Appeals for the Federal Circuit

05-7145

DARRELL J. HAMPTON,

Claimant-Appellant,

v.

R. JAMES NICHOLSON, Secretary of Veterans Affairs,

Respondent-Appellee.

DECIDED: March 9, 2006

Before NEWMAN, MAYER, and GAJARSA, Circuit Judges.

PER CURIAM.

Darrell J. Hampton appeals the dismissal of his petition for a writ of mandamus as moot. Hampton v. Nicholson, No. 04-2199 (Vet. App. April 19, 2005). Because the United States Court of Appeals for Veterans Claims granted Hampton's motion for a panel hearing on his underlying appeal, 03-927, it did not abuse its discretion in dismissing his petition for the writ, which requested extraordinary procedural action in aid of that appeal. See Kerr v. United States Dist. Court, 426 U.S. 394, 403 (1976) (providing the standard for granting a writ of mandamus); Lamb v. Principi, 284 F.3d 1378 (Fed. Cir. 2002) (finding jurisdiction to review denials of a writ of mandamus by the Veterans Court). Therefore, we affirm.