

NOTE: This disposition is nonprecedential.

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

---

**ROBERT J. TROPIAK,**  
*Claimant-Appellant*

v.

**ROBERT WILKIE, SECRETARY OF VETERANS  
AFFAIRS,**  
*Respondent-Appellee*

---

2018-1928

---

Appeal from the United States Court of Appeals for  
Veterans Claims in No. 17-0676, Judge William S. Green-  
berg.

---

Decided: May 9, 2019

---

ADAM WILLIAM BURROWBRIDGE, Wilson, Sonsini,  
Goodrich & Rosati, PC, Washington, DC, argued for claim-  
ant-appellant. Also represented by SONJA ROCHELLE  
GERRARD, MICHAEL T. ROSATO, Seattle, WA.

REBECCA SARAH KRUSER, Commercial Litigation  
Branch, Civil Division, United States Department of Jus-  
tice, Washington, DC, argued for respondent-appellee.  
Also represented by JOSEPH H. HUNT, MARTIN F. HOCKEY,

JR., ROBERT EDWARD KIRSCHMAN, JR.; CHRISTINA LYNN GREGG, Y. KEN LEE, Office of General Counsel, United States Department of Veterans Affairs, Washington, DC.

---

Before REYNA, HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

Appellant Robert J. Tropiak appeals a decision of the United States Court of Appeals for Veterans Claims affirming the Board of Veterans' Appeals decision to deny Mr. Tropiak a compensable rating for his foot condition under Diagnostic Code 7806. *Tropiak v. Shulkin*, No. 17-0676, 2018 WL 1074703 (Vet. App. Feb. 28, 2018). We find that Mr. Tropiak's appeal raises only factual issues or issues of application of law to fact. Because we lack jurisdiction to review such issues, *Cook v. Principi*, 353 F.3d 937, 939 (Fed. Cir. 2003); *see also* 38 U.S.C. § 7292(d)(2), we dismiss.

**DISMISSED**

No costs.