

NOTE: This order is nonprecedential.

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

JAMES R. RUDISILL,
Claimant-Appellee

v.

**DENIS MCDONOUGH, SECRETARY OF
VETERANS AFFAIRS,**
Respondent-Appellant

2020-1637

Appeal from the United States Court of Appeals for
Veterans Claims in No. 16-4134, Senior Judge Mary J.
Schoelen, Chief Judge Margaret C. Bartley, Judge Michael
P. Allen.

SUA SPONTE

Before MOORE, *Chief Judge*, LOURIE, DYK, PROST, REYNA,
TARANTO, CHEN, HUGHES, STOLL, CUNNINGHAM, and
STARK, *Circuit Judges*.¹

¹ Circuit Judge Newman did not participate.

ORDER

Upon consideration of the judgment and mandate of the Supreme Court of the United States in *James R. Rudisill v. Denis R. McDonough*, No. 22-888, reversing and remanding to this court for further proceedings consistent with the opinion of the Supreme Court,

IT IS ORDERED THAT:

(1) The mandate of this court issued on February 6, 2023, is recalled, the appeal is reinstated, and this court's December 15, 2022, opinion and judgment in Case No. 20-1637 are vacated.

(2) The case is remanded to the Court of Appeals for Veterans Claims to award relief to Mr. Rudisill in accordance with the Supreme Court's judgment. The mandate shall issue 14 days from the date of this order.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

June 4, 2024
Date