

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

MISC. NO. 23-11

IN RE: RECALL OF SENIOR JUDGE

ORDER

WHEREAS the Court receives approximately 300 Notices of Appeal every month, as well as numerous motions and other filings that deserve timely judicial review and decision, and

WHEREAS the Chief Judge of the Court, pursuant to 38 U.S.C. § 7257(b)(1), may recall Senior Judges of the Court who have retired but who have agreed to be available for such recall when their service is needed by the Court, and

WHEREAS the Chief Judge of the Court has determined that the service of a Senior Judge is needed by the Court and, if recalled, that Senior Judge would perform substantial service to the Court by reviewing and deciding appeals, motions, and other filings with the Court, and

WHEREAS Senior Judge Frank Q. Nebeker has agreed to be available for recall as needed by the Court,

THEREFORE, it is

ORDERED that, effective January 3, 2012, Judge Frank Q. Nebeker is recalled from retired status to have and to exercise all of the judicial powers and duties of the office of a Judge in active service and otherwise perform substantial service in reviewing and deciding appeals, motions, and other filings with the Court. It is further

ORDERED that Judge Nebeker shall serve in recalled status until the Chief Judge of the Court determines that his service is no longer needed or until March 30, 2012, whichever is sooner, unless extended by the Chief Judge with the consent of Judge Nebeker.

DATED: December 20, 2011

BY THE COURT:



Bruce E. Kasold
Chief Judge