

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 00-2300

KENNETH M. CARPENTER,

APPELLANT,

v.

ANTHONY J. PRINCIPI,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

RONALD G. HARRISON,

INTERVENOR.

Before KRAMER, *Chief Judge*, and FARLEY,
HOLDAWAY, IVERS, STEINBERG, and GREENE, *Judges*.

ORDER

On September 28, 2001, the appellant, through counsel, filed his initial brief in the above-captioned case. Therein, he moved for initial full Court review pursuant to Rule 35(c) of the Court's Rules of Practice and Procedure.

Upon consideration of the foregoing, it is

ORDERED that the motion is denied.

DATED: April 18, 2002

PER CURIAM.

STEINBERG, *Judge*, dissenting: I voted to grant full Court reconsideration in this case, for the reasons stated in my dissent to the June 21, 2001, en banc opinion, *Carpenter v. Principi*, 15 Vet.App. 64, 79 (2001) (Steinberg, J., concurring in part and dissenting in part), except for part II.C.1., regarding the Court's jurisdiction in terms of the failure to discuss section 402 of the Veterans' Judicial Review Act, Pub. L. No. 100-687, § 402, 102 Stat. 4105, 4122 (1988) [hereinafter VJRA § 402], which has been repealed by the Veterans Education and Benefits Expansion Act of 2001, Pub. L. No. 107-103, § 603(a), 115 Stat. 976, 999; *see also id.* at § 603(d) (making repeal of VJRA § 402 applicable to all pending and subsequent claims). I therefore respectfully dissent.