

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 97-2323

JAMES F. FRITZ,

APPELLANT,

v.

TOGO D. WEST, JR.,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before NEBEKER, *Chief Judge*, and KRAMER and STEINBERG, *Judges*.

ORDER

This matter is before the Court as to the appellant's application for attorney fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) (EAJA). In a November 23, 1999, opinion, the Court held in abeyance further proceedings on the EAJA application and directed the appellant to "file a verification as to whether or not he approves of the submission of the instant EAJA application." *Fritz v. West*, 13 Vet.App. 190, 196 (1999). On December 21, 1999, the appellant filed a document entitled: "SUBMISSION UNDER PROTEST OF VERIFICATION OF APPELLANT OF HIS CONSENT TO COUNSEL'S SUBMISSION OF AN EAJA APPLICATION TO THIS COURT" and a supplemental EAJA application.

Upon consideration of the foregoing, it is

ORDERED that, not later than 30 days after the date of this order, the Secretary file a response to the appellant's supplemental EAJA application.

DATED: January 18, 2000

PER CURIAM.