

950 F.2d 731

Unpublished Disposition

NOTICE: THIS IS AN UNPUBLISHED OPINION.

(The Court's decision is referenced in a "Table of Decisions Without Reported Opinions" appearing in the Federal Reporter. Use FI CTAF Rule 47.6 for rules regarding the citation of unpublished opinions.)

United States Court of Appeals, Federal Circuit.

Geral W. **SOSBEE**, Petitioner–Appellant,

v.

Edward J. DERWINSKI, Secretary of
Veterans Affairs, Respondent–Appellee.

No. 91–7077.

I

Nov. 13, 1991.

Synopsis

Vet.App.

AFFIRMED.

Before **RICH**, **PAULINE NEWMAN** and **CLEVINGER**,
Circuit Judges.

DECISION

Footnotes

- * See Department of Veterans Affairs Health–Care Personnel Act of 1991, Pub.L. No. 102–40, § 402(b)(1), 105 Stat. 187, 238–239 (May 7, 1991).

PER CURIAM.

*1 Geral W. **Sosbee** appeals from the order of the Court of Veterans Appeals, No. 91–160 (April 26, 1991), dismissing his petition for lack of jurisdiction. We *affirm*.

OPINION

The Court of Veterans Appeals dismissed **Sosbee's** appeal on the ground that the Board of Veterans Appeals had not issued a final decision in his case. The Board of Veterans Appeals October 10, 1990 decision remanded **Sosbee's** claim to the regional office for further consideration. The dismissal by the Court of Veterans Appeals was without prejudice to a later appeal by **Sosbee** if and when the Board of Veterans Appeals issues a final decision adversely affecting him.

Sosbee argues that the Court of Veterans Appeals should be compelled to accept jurisdiction of the case because the VA has delayed processing his application. However, the Court of Veterans Appeals' jurisdiction is confined to review of final decisions of the Board of Veterans Appeals. See 38 U.S.C. § 4052(a), *redesignated as* 38 U.S.C. § 7252(a); 38 U.S.C. § 4066, *redesignated as* 38 U.S.C. § 7266.* **Sosbee** does not dispute that the Board has not issued a final decision in his case. Accordingly, the decision of the Court of Veterans Appeals dismissing **Sosbee's** appeal as premature is affirmed.

All Citations


950 F.2d 731 (Table), 1991 WL 234209

History (4)

Direct History (2)

1. [Sosbee v. Derwinski](#)
- 2 Vet.App. 179 , Vet.App. , Apr. 26, 1991

Decision Affirmed by

2. [Sosbee v. Derwinski](#) 
950 F.2d 731 , Fed.Cir. , Nov. 13, 1991

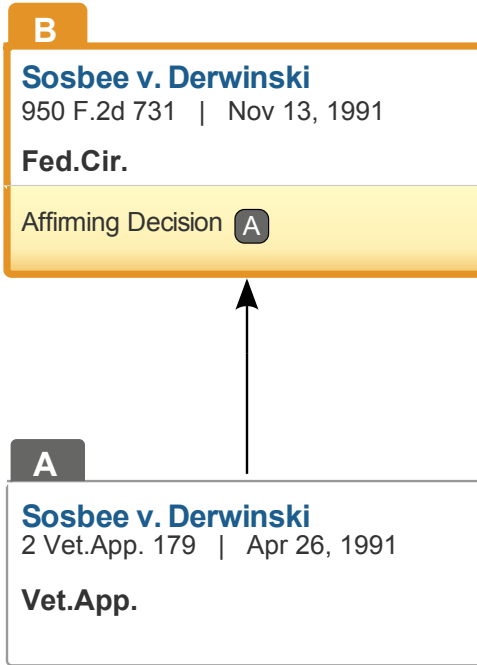
Related References (2)

3. [Sosbee v. Derwinski](#)
2 Vet.App. 179 , Vet.App. , June 13, 1991

4. [Sosbee v. Derwinski](#)
1 Vet.App. 392 , Vet.App. , July 02, 1991

Intermediate Court

Trial Court



Negative Treatment

There are no Negative Treatment results for this citation.

Citing References

There are no Citing References for this citation.

Table of Authorities

There are no Table of Authorities results for this citation.

Filings

There are no Filings for this citation.