RECEIVED
U.S. COURT OF APPEALS
10TH CIRCUIT
2018 SEP 14 AM 10: 11

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

LEMUEL C BRAY,	)
	)
Petitioner	)
	)
v.	)
	)
ROBERT L. WILKIE,	)
Secretary of Veterans Affairs,	)
Respondent	)
	)

PETITION FOR REVIEW

1. Lemuel C Bray brings a Petition for Review of the Board of Veterans Appeals Docket No. 15-34 597 Decision dated May 11, 2017, RBA pages 1-40 and the March 5, 2018 Department of Veterans Affairs letter, 442/MFD establishing issues regarding my Notice of Disagreement with the Rating Decision of November 1, 2017, 442/KR, not in the RBA of 8/8/2018.
2. The BVA De Novo review Decision made clear and unmistakable errors including but not limited to:
    a. SC spinal disc disease RBA 2870, Issues item 4 incorrectly listed implying direct service connection claimed instead of secondary service connection under 38 CFR 3.310 to seizures. Not new evidence for re-opening claim although new evidence also exists. Not before the CAVC.

i. Failure to assist and denial of evidence by the Secretary's Medical Division.

ii. Removal of evidence from the record of both seizure and spinal disc disease. CAVC RBA dispute Case No. 17-2990 argued issues not before the Court by VA GC. Sec VA unresponsive.

b. Confirmed partial and complex partial seizures, RBA but mistreated with Tegretol. A 38 CFR 3.105 CUE. 38 CFR 3.154 Medical Malpractice. Not before the CAVC

c. The tinnitus/hearing rating decision RBA 4255-4256 in consideration of RBA 4365-4366 indicating a "definite industrial handicap" by denial of a fork lift operator's permit for safety reasons. (issue certified to CAVC—pending correction of the RBA.)

d. TBI with "anosognosia" increase pending correction of the RBA at the CAVC.

e. PTSD service connection RBA 4180, 3930 & 3929, 3782-3784.

Date: September 12, 2018

Lemuel C Bray
SS//LEMUEL C BRAY

LEMUEL C BRAY in Pro Se
2833 Main Street
Torrington, WY 82240
lembray@gmail.com
Phone: 307 316 8568
FAX: 307 316 0936

PETITIONS FOR REVIEW
LIST OF RESPONDENTS

Department of the Navy
Board for Correction of Naval Records
701 S. Courthouse Road, Suite 1001
Arlington, VA 22204-2490

LAVINIA A. DERR
Appellate Attorney
Office of the General Counsel
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, DC 20420
Lavinia.Derr@va.gov
(202) 632-6924

MARK A. KLAASSEN
United States Attorney
NICHOLAS VASSALLO
Assistant United States Attorney
P.O. Box 668
Cheyenne, WY 82003-0668
nick.vassallo@usdoj.gov

Date: September 12, 2018

Lemuel C Bray
SS// LEMUEL C BRAY

LEMUEL C BRAY in Pro Se
2833 Main Street
Torrington, WY 82240
lembray@gmail.com
Phone: 307 316 8568
FAX: 307 316 0936

Lemuel Bray
2833 Main St.
Torrington, WY 82240

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®

7017 1070 0000 6282 8081

UNITED STATES POSTAL SERVICE

1000

80257

U.S. POSTAGE PAID
FCM LG ENV
TORRINGTON, WY
82240
SEP 12, 18
AMOUNT
$8.04
R2304W121563-03

FIRST CLASS

RETURN RECEIPT
REQUESTED

Scanned by
US Marshal

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT--OFFICE OF THE CLERK:
Byron White United States Court House
1823 Stout Street
Denver, CO 80257

RETURN RECEIPT
REQUESTED

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

Chris Wolpert
Chief Deputy Clerk

September 14, 2018

Mr. Lemuel Clayton Bray
Lemuel C Bray
2833 Main Street
Torrington, WY 82240-1929

RE: 18-9553, Bray v. Wilkie
Dist/Ag docket: 15-34597

Dear Mr. Bray:

The court has received and docketed your petition for review. Please note your case number above. Copies of the Tenth Circuit Rules, effective January 1, 2018, and the Federal Rules of Appellate Procedure, effective December 1, 2017, may be obtained by contacting this office or visiting our website at http://www.ca10.uscourts.gov. In addition, please note all counsel are required to file pleadings via the court's Electronic Case Filing (ECF) system. You will find information regarding registering for and using ECF on the court's website. We invite you to contact us with any questions you may have about our operating procedures. Please note that all court forms are now available on the court's web site.

We have served the petition for review on the respondent agency via electronic notice using the court's ECF system. Petitioner must serve a copy of the petition for review on all parties, other than the respondent, who participated in the proceedings before the agency.

The agency order was not included with your petition for review. Please submit a copy to the court forthwith.

Attorneys must complete and file an entry of appearance form within 14 days of the date of this letter. *See* 10th Cir. R. 46.1(A). Pro se parties must complete and file the form within thirty days of the date of this letter. An attorney who fails to enter an appearance within that time frame will be removed from the service list for this case, and there may be other ramifications under the rules. If a respondent does not wish to participate in the appeal, a notice of non-participation should be filed via ECF as soon as possible. The

notice should also indicate whether counsel wishes to continue receiving notice or service of orders issued in the case.

The court will forward all forms, letters and orders to you via US Mail. If you wish to change the method of service from US Mail to email, you must make that request in writing and provide this office a valid email address. Requests to change the method of service must come via regular US Mail and may not be emailed. Please note that by providing the court with a valid email address you consent to receive all orders/letters issued by the court via "notices of docket activity" (NDAs). Paper copies will not be mailed to you. When you receive an email "NDA" a link to the order/letter that has been issued will appear in the notice; you are entitled to one free "look" at the document and should download it at that time. The document will appear as a PDF so you must have the ability to view PDFs. Finally, if your email address changes you must notify the court immediately. It is your responsibility to maintain your email address.

You will receive further instructions regarding prosecution of this matter from the court within a few weeks.

Please contact this office if you have questions.

Sincerely,

Elisabeth A. Shumaker
Clerk of the Court

cc: Lavinia A. Derr
Nicholas Vassallo

EAS/lab