OMB Approved No. 2900-0674
Respondent Burden: 30 Minutes
Expiration Date: Feb. 28, 2022

Department of Veterans Affairs

# DECISION REVIEW REQUEST: BOARD APPEAL (NOTICE OF DISAGREEMENT)

## PART I - PERSONAL INFORMATION

1. VETERAN'S NAME *(First, middle initial, last)*
**LEMUEL C BRAY**

| 2. VETERAN'S SOCIAL SECURITY NUMBER | 3. VETERAN'S VA FILE NUMBER *(if different than their SSN)* | 4. VETERAN'S DATE OF BIRTH |
|---|---|---|
| [redacted] | C/CSS - [redacted] | [redacted]1941 |

| 5. IF I AM NOT THE VETERAN, MY NAME IS *(First, middle initial, last)* | 6. MY DATE OF BIRTH *(If I am not the Veteran)* |
|---|---|
| | |

7. MY PREFERRED MAILING ADDRESS *(Number and street or rural route, P.O. Box, City, State, ZIP Code and Country)* ☐ I AM HOMELESS

**2833 MAIN STREET, TORRINGTON, WY 82240 USA**

| 8. MY PREFERRED TELEPHONE NUMBER *(Include Area Code)* | 9. MY PREFERRED E-MAIL ADDRESS | 10. MY REPRESENTATIVE'S NAME |
|---|---|---|
| (307) 316-8568 | lembray@gmail.com | Self |

## PART II - BOARD REVIEW OPTION *(Check only one)*

11. A Veterans Law Judge will consider your appeal in the order in which it is received, depending on which of the following review options you select. *(For additional explanation of your options, please see the attached information and instructions.)*

☐ 11A. Direct Review by a Veterans Law Judge: I do not want a Board hearing, and will not submit any additional evidence in support of my appeal. *(Choosing this option often results in the Board issuing its decision most quickly.)*

☐ 11B. Evidence Submission Reviewed by a Veterans Law Judge: I have additional evidence in support of my appeal that I will provide within the next 90 days, but I do not want a Board hearing. *(Choosing this option may add delay to issuance of a Board decision.)*

☒ 11C. Hearing with a Veterans Law Judge: I want a Board hearing and the opportunity to submit additional evidence in support of my appeal that I will provide within 90 days after my hearing. *(Choosing this option may add delay to issuance of a Board decision.)*

## PART III - SPECIFIC ISSUE(S) TO BE APPEALED TO A VETERANS LAW JUDGE AT THE BOARD

12. Please list each issue decided by VA that you would like to appeal. Please refer to your decision notice(s) for a list of adjudicated issues. For each issue, please identify the date of VA's decision and the area of disagreement.

☒ Check here if you attached additional sheets. Include the Veteran's last name and last 4-digits of the Social Security number.

Check the SOC/SSOC Opt in box if any issue listed below is being withdrawn from the legacy appeals process. ☐ Opt In from SOC/SSOC

| A. Specific Issue(s) | B. Date of Decision |
|---|---|
| 1. CUE, unadjudicated Substantive Appeal dated 11/26/1994 on SOC of 05/26/1994 with VARO Denver letter to VA OIG dated 07/20/1998 denying it existed. Hearings specifically scheduled at times of notified travel | 01/22/1992<br>06/19/1995<br>07/20/1998<br>12/02/2020 |
| unavailability<br>2. 11/26/1994 and prior requests for medical evidence not provided. Fifth Amendment denial of due process. | 06/19/1995<br>07/20/1998<br>10/28/2020<br>12/02/2020 |
| 3. 12/10/1990 unadjudicated claim for seizures (temporal lobe epilepsy)as 1. above | 06/19/1995<br>07/20/1998<br>10/28/2020<br>12/02/2020 |
| 4. CUE 07/30/1974 3.154 (1151) claim of non compliant 4.42 examinations excluding the articulation of the thumb carpal metacarpal joint (minor 20%) from wrist examinations specifically limiting to finger wrist joints | 06/19/1995<br>07/20/1998<br>10/28/2020<br>12/02/2020 |
| 5. 02/27/1992 unadjudicated claim for spinal disc disease secondary to seizure caused MVA--as 1. above later CUE Decisions attributing Foster, Robert's 1984 back injury date to me because of misfiled document | 06/19/1995<br>07/20/1998<br>10/28/2020<br>12/02/2020 |

## PART IV - CERTIFICATION AND SIGNATURE

I CERTIFY THAT THE STATEMENTS ON THIS FORM ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

| 13. SIGNATURE *(Appellant or appointed representative) (Ink signature)* | 14. DATE SIGNED |
|---|---|
| Lemuel C Bray | 01/31/2021 |



PENALTY: THE LAW PROVIDES SEVERE PENALTIES WHICH INCLUDE A FINE, IMPRISONMENT, OR BOTH, FOR THE WILLFUL SUBMISSION OF ANY STATEMENT OR EVIDENCE OF A MATERIAL FACT, KNOWING IT TO BE FALSE.

[redacted]



| A. Specific Issue(s) | B. Date of Decision |
|---|---|
| 6. Entitlement to an earlier effective date for the grant of individual unemployability under 3.154 (1151) because of inability to maintain employment caused by temporal lobe epilepsy failure of diagnosis because of non-compliant with 4.42 examinations. | 10/28/2020<br>12/02/2020 |
| 7. Endocrinopathy – non-compliant 4.42 examinations of TBI and spinal disc disease residuals | 10/28/2020<br>12/02/2020 |
| 8. Service connection for tooth condition residuals of 1969 facial fracture found to be more likely than not residual of 1969 facial fracture by 06/04/2015 Dental C&P examiner. | 10/28/2020<br>12/02/2020 |
| 9. CUE PTSD of 50% from 09/24/1984 to 06/10/1993 reverting to the lessor rating for organic personality disorder 30%. Higher rating to be awarded. | 10/28/2020<br>12/02/2020 |
| 10. Arthritis of spine and wrist previously confirmed in C&P exams. Wrist at 0%. Cervical spine SC. Lumbar spine denied. See 5 above. | 10/28/2020<br>12/02/2020 |
| 11. 3.154 (1151) claim for the mistreatment with Tegretol for partial and complex partial seizures from 09/17/1990 for several months refusing to change medications when the 1990 PDR indicated Tegretol was contra-indicated for the type of seizures- | |
| -diagnosed and because of my sensitivity to amitriptyline. Claim previously submitted but ignored in this decision. | |
| 12. Remand for tinnitus increase ignored. Tinnitus should be increased as of 1974 due to the record of being denied a Navy Forklift Operators permit because of tinnitus effect on hearing warning beeps. | |
| 13. Hold compliant 38 CFR 4.42 examinations are a debt under the Fourteenth Amendment, Section 4., not a "duty to assist" that can be ignored. The remedy for non-compliance is hinted in 38 CFR 4.42. | |

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| 13. SIGNATURE *(Appellant or appointed representative) (Ink signature)* | 14. DATE SIGNED |
|---|---|
| [signature] | 01/31/2021 |
| | |