

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 02-2259

BARNEY O. PADGETT,

APPELLANT,

v.

ANTHONY J. PRINCIPI,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

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

ORDER

On July 9, 2004, the Court issued an opinion that vacated the August 8, 2002, Board of Veterans' Appeals decision, which had denied the appellant's claim for service connection for osteoarthritis of the right hip, and remanded the matter for readjudication. On July 30, 2004, the Secretary filed a timely motion for a full-Court decision. On August 6, 2004, the appellant, through counsel, filed a motion for leave to file out of time a cross-motion for a full-Court decision. On the same date, the Court received the appellant's cross-motion. On September 8, 2004, the Court granted the appellant's motion for leave and filed his cross-motion for a full-Court decision.

Upon consideration of the foregoing, it is

ORDERED that both the Secretary's motion and the appellant's cross-motion for a full-Court decision are granted. It is further

ORDERED that the Court's July 9, 2004, opinion is withdrawn. The matter is referred to the full Court for disposition.

DATED: September 14, 2004

PER CURIAM.