

NOTICE OF APPELLATE RIGHTS FOLLOWING DENIAL OF MOTION FOR RECONSIDERATION

Under 38 U.S.C. § 7266(a), you may appeal a decision of the Board of Veterans' Appeals granting less than the complete benefit, or benefits, sought. To appeal a decision of the Board of Veterans' Appeals, you must mail a Notice of Appeal to the United States Court of Veterans Appeals (the Court) within 120 days from the date of mailing of notice of the Board's decision. If you have not already filed a timely Notice of Appeal in this case, you may have an additional opportunity to appeal to the Court under certain circumstances. If you filed your motion for reconsideration within 120 days of the date of mailing of the Board's decision, you now have an additional 120 days from the date of mailing of the letter denying your motion for reconsideration, which accompanies this notice, within which to file a Notice of Appeal with the Court. *Rosler v. Derwinski*, 1 Vet.App. 241 (1991).

If the Board's decision for which you requested reconsideration is dated on or after January 16, 1992, the date of mailing is the date on the decision. If the Board's decision is dated before January 16, 1992, the date of mailing is the next business day after the date on the decision. *See Bosmay v. Derwinski*, 2 Vet.App. 306 (1992).

The Court is an independent Federal Court. You must file your Notice of Appeal with the Court at the following address: The United States Court of Veterans Appeals, 625 Indiana Avenue, NW., Washington, DC 20004. File the original Notice of Appeal with the Court. File a **copy** of the Notice of Appeal at the following address: Office of the General Counsel (027), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. Although you must file a **copy** of your Notice of Appeal with the Office of the General Counsel, filing your Notice of Appeal with the General Counsel, the Board, or any other VA office **will not** protect your right of appeal.