

No. 98-88

In the Supreme Court of the United States

OCTOBER TERM, 1997

RICHARD E. FLESHMAN, PETITIONER

v.

TOGO WEST, SECRETARY OF VETERANS AFFAIRS

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT*

BRIEF FOR THE RESPONDENT IN OPPOSITION

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QUESTION PRESENTED

Whether the court of appeals correctly interpreted 38 U.S.C. 5101(a) in holding that petitioner's unsigned application for veterans disability benefits was not in the form prescribed by the Secretary, and therefore could not provide the basis for the effective date of his receipt of disability benefits.