

Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001

Scott S. Harris  
Clerk of the Court  
(202) 479-3011

December 7, 2020

Ms. Cherrie Hollie  
3675-39th Avenue  
Apt. 5  
Oakland, CA 94619

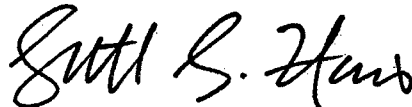
Re: Cherrie A. Hollie  
v. Robert Wilkie, Secretary of Veterans Affairs  
No. 20-6091

Dear Ms. Hollie:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,



Scott S. Harris, Clerk

EXHIBIT 11/16

DEPARTMENT OF VETERANS AFFAIRS  
REGIONAL OFFICE  
ST. PAUL, MINNESOTA

TRANSCRIPT OF HEARING

XC 24-282-411  
HOLLIE, CHARLIE  
HOLLIE, CHERRIE

May 22, 2017  
11:15 AM  
331/21HO

**TRANSCRIPTION NOTE:**

**ALL PERSONS PRESENT AT HEARING:**

**JASON REGER – DECISION REVIEW  
OFFICER**

**BARRY AMMON – ATTORNEY**

**CHERRIE HOLLIE – CLAIMANT**

*EXHIBIT 4311*

DECISION REVIEW OFFICER:

Good morning, my name is Jason Reger, I'm a Decision Review Officer here with the St. Paul Pension Management Center in St. Paul, Minnesota. This hearing is held at the Bishop Henry Whipple Federal Building via teleconference with the Oakland Regional Office involving the claim for Cherrie Hollie; file number 24-282-411. The date is May 22, 2017, and the time is approximately 11:15 AM Central Standard Time; I believe that's 9:15 AM Pacific Time. Cherrie is appearing in person.

Cherrie, can you please spell your first and last name for the record.

CLAIMANT:

Cherrie Ann Hollie:

C-H-E-R-R-I-E

...and then:

A-N-N

...for the middle...and then Hollie:

H-O-L-L-I-E

DECISION REVIEW OFFICER:

Thank you. Will you please also provide your current address and phone number for the record?

CLAIMANT:

My current address is...my driver's license:

3675 39<sup>th</sup> Avenue Apartment #5  
Oakland, California 94619

DECISION REVIEW OFFICER:

Thank you.

Barry Ammon is also....

ATTORNEY:

Yes, I'm Barry Ammon and I am...I am an Attorney; however, my purpose today is simply

to observe. Ms. Hollie asked me to observe, so I'm not planning on taking an active role in here.

DECISION REVIEW OFFICER:

Okay, and that's... can you just spell your name for the record?

ATTORNEY:

Yes, it's B... first name is:

B-A-R-R-Y

Last name is:

A-M-M-O-N

...and my business address is:

1305 Franklin Street, Suite 504  
Oakland, California 94612

DECISION REVIEW OFFICER:

Thank you... okay, Cherrie, can you please raise your right hand?

Do you affirm that the testimony you're about to give will be the truth, the whole truth, and nothing but the truth?

CLAIMANT:

I do.

DECISION REVIEW OFFICER:

Thank you.

Barry, did you want me to swear you in or you just....

ATTORNEY:

I'm here to observe... I mean....

DECISION REVIEW OFFICER:

Okay.

ATTORNEY:

...if you need to later, by all means.

DECISION REVIEW OFFICER:

Okay. We'll go ahead and proceed without then.

Let the record also show that the Claimant has been given an explanation of the rights under the *Privacy Act*.

The issue being considered today is entitlement to survivor's benefit for Cherrie Hollie; is that correct.

CLAIMANT:

Pension.

DECISION REVIEW OFFICER:

Pension.

CLAIMANT:

PMC...pension.

DECISION REVIEW OFFICER:

Yeah.

CLAIMANT:

PMC Hearing...right.

DECISION REVIEW OFFICER:

Yeah, the dependency...the DIC along with the pension. We need to establish you as a survivor before you're entitled to either of the benefits, so I just...I want to encompass the whole issue, so we make sure we get everything. So...yeah, obviously, we're considering the entitlement to DIC and death pension or survivor's pension as well.

Okay. Cherrie, you had asked for this hearing...this new hearing in regards to a previous hearing; do you have an opening statement; how did you want to proceed?

CLAIMANT:

Yeah, when I came the last time... the other year and I had to be sworn in to tell the truth, the whole truth, and nothing but the truth and so, in the...in receiving the transcript, I found that it was untrue in the transcript that I did not say, which allowed me to...to ask someone to help me had...had I had a witness in the hearing to hear and see what I had to say, I wouldn't be in a bad...in a bad way...to have no help, but defense [sic] for myself and whether I'm able to have Mr. Ammon as a

witness because when I received the transcript, it was really, really late in receiving it. I caught an error; something I didn't say and I just felt it was fair and fruitful that I be given another chance to get that corrected by you all.

DECISION REVIEW OFFICER:

Absolutely.

CLAIMANT:

Whoever typed up the transcript made an error on...for me...error...error code...error on what happened because I'm the one on the line to speak up to get my late husband...I'm his spouse...benefits and prove myself and I don't need anything blocking me because of a typing error...the typos...because this is a fight for me and right...right now, with having to be able to speak and not get headaches and worry...you know...well, what's gonna happen? I just don't want to have that happen 'cause errors happen like that....

DECISION REVIEW OFFICER:

Okay.

CLAIMANT:

...and it really, really bother me.

DECISION REVIEW OFFICER:

Let's...let's go ahead...and for the record, explain what was mistyped or misrepresented that we can make sure we get that fixed then?

CLAIMANT:

It said, "Sequestered," but I, "Requested."

DECISION REVIEW OFFICER:

Okay.

CLAIMANT:

So, that was the error.

DECISION REVIEW OFFICER:

There was that...it was typed up as, "Sequestered," the SSI...the Social Security records?

CLAIMANT:

Right...right...I didn't say that.

DECISION REVIEW OFFICER:

Okay, and you said you requested the SSA records, correct?

CLAIMANT: The word would be, "Requested," not, "Sequestered."

DECISION REVIEW OFFICER: Okay.

CLAIMANT: If anything, it would be...when you're speaking, you...you say things...you request....

DECISION REVIEW OFFICER: Right.

CLAIMANT: ...whether it's done or not, you're requesting... you request...(inaudible)...I requested, not sequestered.

DECISION REVIEW OFFICER: Absolutely, we'll get that fixed. I think sometimes, it might be hard to pick up the... you know...the audio here from the...the tapes, so I absolutely want to make sure we get that fixed for you. Speaking of those records, did you get any new records at all from SSI or Social Security in the meantime?

CLAIMANT: You mean funds?

DECISION REVIEW OFFICER: No, the....

CLAIMANT: You mean the letter that...that...about me coming here?

DECISION REVIEW OFFICER: Right, whatever you had requested from them.

CLAIMANT: I got...I got a letter that they wanted to know if I'm...if I'm trying to do something; if I do, that... let them know...that's what they do.

DECISION REVIEW OFFICER: Okay.

CLAIMANT: Yeah, and you gotta report it and they...and so that they know what's going on...that's all I got.

DECISION REVIEW OFFICER: Okay. I have a couple questions for you; hopefully we can talk about the current action that's going on here. I mean, it looked like

you're trying to obtain those benefits and you and the Veteran... the last time you were here, you spoke a lot about the abuse that you had suffered on behalf of the Veteran, so I don't really want to dive into that... that's pretty much available here... I mean, it's all of record.

I do want to ask you, after your hearing back in September... and the 60 days had passed and the transcript was mailed, I think you said it was received around end of November; is that accurate; you actually received it in November?

CLAIMANT: Yeah, give or take.

DECISION REVIEW OFFICER: Okay, and then....

CLAIMANT: It was late.

DECISION REVIEW OFFICER: Okay, late-November. A Statement of the Case was issued on December... it was dated December 29<sup>th</sup>, it was probably mailed out around December 30<sup>th</sup>, meaning you probably would've gotten it in early-January 2017; do you remember getting that document?

CLAIMANT: I remember... I remember wondering what's taking them so long to send me the transcript and then finally after a while it came, but I called over the phone... always called to ask questions to find out what's going on... they... they have the 800-number....

DECISION REVIEW OFFICER: Yeah.

CLAIMANT: ... so I called on the phone and I asked what's going on and they'll tell you it's gonna be late or it's been undecided; whatever you wanna know, they're always very helpful on the phone to tell you what stage... what stage it's in. So, this is what I did, I called over the phone and



then after that, the letter came in the mail; the transcript came in the mail.

DECISION REVIEW OFFICER:

Yeah, so you received that transcript in November, but then we also sent out another document about a month later at the end of the December; it was called a Statement of the Case, it would've been about a 30 to 40 page document that discussed the....

CLAIMANT:

Yeah, a real... a real fat paper....

DECISION REVIEW OFFICER:

Yeah.

CLAIMANT:

... that discussed everything and the... the officer said something to the effect that everything was... so far would... would remain the same... that's all....

DECISION REVIEW OFFICER:

Okay.

CLAIMANT:

... and they gave a little questions to look for... to be answered, but since I am the surviving spouse of Charlie Hollie... have a son by the marriage and was with him for six years. He worked in Newark, California, when we married as a machinist... that's how...(inaudible)... get a... get an apartment when he didn't pay the child support for me and my son and I wasn't allowed to... to live together with him....

DECISION REVIEW OFFICER:

Okay.

CLAIMANT:

... that's why I had to get married. So, when it was time to get married, I got my marriage... I brought it for you guys... made a copy... I had to have a marriage health certificate and I found it, dated 1970 and that was required, to have a marriage health certificate back then and... so, I have that to show you... and so, I thinking about having a church wedding, but Charles wanted to have... wanted to go to Reno. So, we went to Reno... so, we had the wedding and

celebration; I have the pictures from the wedding. The bride with the veil and the white dress and groom with the tuxedo; I found... I found all the pictures. I found the guestbook, I found every people [sic] who was there who need be... to testify for me if I have to keep going....

DECISION REVIEW OFFICER:

Right.

CLAIMANT:

... of how I was treated... how I was treated by Mr. Hollie in a very frightful way that would vouch that what I had went through. So, that... that... all was... records were saved; from the wedding certificate to the wedding pictures, to the guest book, and a... and a close friend of ours who witnessed what happened to me....

DECISION REVIEW OFFICER:

Okay.

CLAIMANT:

... for that reason.

DECISION REVIEW OFFICER:

Well... I mean... I know we've established the relationship and the marriage... I mean, I... that's... that's of record, I don't think that's in question at all... you know... we understand... you know... you were married and then... that you... you got divorced in....

CLAIMANT:

1976.

DECISION REVIEW OFFICER:

... 1976... okay... and neither you remarried nor the Veteran remarried, right?

VETERAN:

At the time he... at the time he died, I was not... I was not married. He never married; I was his first and only wife and then I'm still not married.

DECISION REVIEW OFFICER:

Okay, but you never remarried between '76 and his death; did you ever remarry at all?

VETERAN:

I had gotten married a long while after... I mean ... I didn't marry... let me see... I married... I

married again in... it was a long time ago, but I ... I wasn't married when he died, put it like that.

DECISION REVIEW OFFICER: Right, so you... so you got married after the divorce to another... to another guy, correct?

CLAIMANT: Yeah.

DECISION REVIEW OFFICER: Okay.

CLAIMANT: That was the requirement for the... my teachers in my family that... that you need to be married ... can't be dating anyone; you need to be married.

DECISION REVIEW OFFICER: Right, so do you know what... can you give me an approximate month or year when you remarried after your divorce to Mr. Hollie?

CLAIMANT: Mm-mmm... mm-mmm... I filed in 1986.

DECISION REVIEW OFFICER: Okay.

CLAIMANT: I think it was....

DECISION REVIEW OFFICER: And then when....

CLAIMANT: ... for the... for the... I filed for divorce... for... 1986... for the second marriage... I filed for... I filed for... (inaudible)... legal separation it was called.

DECISION REVIEW OFFICER: Okay. So, you got... do you know when... okay, so you got divorced for the second time in 1986; do you remember when you got married for the second time?

CLAIMANT: I got married, I think it was... I don't remember ... I think it was some time in... when did I get married... I don't remember... I don't remember the exact date.

DECISION REVIEW OFFICER: Okay, but it was sometime between '76 and '86 ...you know...just....

CLAIMANT: I'm thinking....

DECISION REVIEW OFFICER: I mean, it doesn't really matter, I just want to get a time frame here just of record...for the record.

CLAIMANT: I think about '76-ish... '75... '76-ish, I got married again.

DECISION REVIEW OFFICER: You said your divorce was from Mr. Hollie was in '76, right?

CLAIMANT: That's what it said on this paper here that I brought; it's filed April 21, 1976.

DECISION REVIEW OFFICER: That was the divorce?

**TRANSCRIPTION NOTE: NO AUDIBLE RESPONSE**

DECISION REVIEW OFFICER: Okay.

CLAIMANT: It was the final...it says, "Dissolution of marriage."

DECISION REVIEW OFFICER: Correct, that was in April 21, 1976....

CLAIMANT: Right...and so....

DECISION REVIEW OFFICER: ...and then you remarried after that date?

CLAIMANT: Remarried again...I remarried again 'cause I had...some time I think at the end of '76.

DECISION REVIEW OFFICER: Okay...alright...and then after the second marriage ended in 1986, that was...that was divorce again, right?

CLAIMANT: Yeah, a divorce between....

DECISION REVIEW OFFICER: Okay.

CLAIMANT: ...between 1986 and '90... '90 I think it was...  
divorce.

DECISION REVIEW OFFICER: And then after that marriage ended, did you...  
were you ever married again after that or were  
you....

CLAIMANT: No... uh-uh.

DECISION REVIEW OFFICER: Okay.

CLAIMANT: I... I gave it up... no more marriage.

DECISION REVIEW OFFICER: Okay. Do you remember the gentleman's  
name?

CLAIMANT: No more marriage... that's it baby... and I'm still  
not married.

DECISION REVIEW OFFICER: What was your second husband's name,  
ma'am?

CLAIMANT: Williams... Kirk Williams.

DECISION REVIEW OFFICER: Craig Williams?

CLAIMANT: Kirk.

DECISION REVIEW OFFICER: Kurt?

CLAIMANT: Kirk Williams.

DECISION REVIEW OFFICER: K-U-R-T?

CLAIMANT: K-I-R-K

DECISION REVIEW OFFICER: K-I-R-K

Thank you.

K-I-R-K

Okay, Kirk Williams. Okay, thank you, I want to make note of that for the record.

Also, I'm gonna jump back here to that Statement of the Case that was mailed at the end of December; that big 40 page document that... you know... explained what we were doing and had all the... we call 'em *CFR's*, they're the *Code of Federal Regulations* and how they... you know... complete your case... and how they go together in your case; do you remember getting that in early-January?

CLAIMANT:

Yeah, but what I understand is that I have... I had a baby... a child by Mr. Hollie; he was a honorary Purple Heart... double bronze... all these war medals... honorary.

DECISION REVIEW OFFICER:

Right.

CLAIMANT:

Okay... and... and I... I was the... I wasn't... I didn't get married pregnant... (inaudible)... and then we... I got pregnant...

DECISION REVIEW OFFICER:

Right.

CLAIMANT:

...and then... and then all hell broke loose....

DECISION REVIEW OFFICER:

Okay, the reason....

CLAIMANT:

...and then....

DECISION REVIEW OFFICER:

Go ahead.

CLAIMANT:

Pardon?

DECISION REVIEW OFFICER:

I said go ahead... sorry, I didn't mean to interrupt there.

CLAIMANT:

Oh... and that... he was like a Jekyll and Mr. Hyde... and personality changed... I just figured that maybe he was disabled too, now that I think back. Maybe he was disabled too and I

didn't know it...you know...but if a young girl is asked to get married by a gentlemen, Mr. Hollie, and thought it would be nice to be married because that was part of what my grandma teach you, that you married under the church and...(inaudible)...God and...and I just ... do a boyfriend...just do a boyfriend...that wasn't allowed at that time....

DECISION REVIEW OFFICER:

Okay.

CLAIMANT:

... with me to do that, that's why I got married in the first place and I had a...a little will setup that when I die, that I would be buried in this wedding gown; it was so symbolic... this wedding... wedding dress... that was my desire for my...being married to Mr. Charlie... Mr. Hollie.

DECISION REVIEW OFFICER:

Okay.

CLAIMANT:

But he went to work...you know...as a machinist in Newark when I was with him and I stayed married...had a baby by him... six years as a spouse, so I am the spouse even though what happened, had to happen. Unfortunately, I'm the spouse and I should be awarded benefits giving what I went through. There was no laws for women who were married to spouses back then... some of them... and... who ... who lost their lives because they wasn't protected...(inaudible)... 'til later on to protect the spouse of Veterans who were having problems... they didn't give 'em no...(inaudible).

Charles Hollie, he still cared about me, but when he had...(inaudible)...it just... I just couldn't take that chance. The rage and jealousy for... and get myself hurt in the means of...(inaudible)...if I had got a boyfriend, that would've made him even more rage... more angry...or he was cheating on me, so based on

that he was an honorary soldier... Purple Heart ...medal... Double Bronze... I was the wife... was married more than a year before he... after he... before he died.

He wasn't married... he never married... I was the only wife he ever, ever had... he never married and I never married again after he died ... when he was dead... I wasn't married... he died... I wasn't married and today... this is what 2017... and I'm still not married....

DECISION REVIEW OFFICER:

Okay.

CLAIMANT:

...and I live by myself.

DECISION REVIEW OFFICER:

Okay... thank you... I mean, I thank you and I certainly don't question you for... for what was going on... I mean, I see the abuse and it's a good thing... you know... it wasn't... it ended....

CLAIMANT:

Tragically.

DECISION REVIEW OFFICER:

Yeah, exactly. I just... I wanted to ask you about the Statement of the Case again. I want to make sure that you got that because there was a form that was included that we attached to that Statement of the Case called the VA Form 9. It's a form that you need to fill out to continue your appeal to the judge in the DC... okay, 'cause that Statement of the Case, when that was issued back in December, that was an encompass review of everything of record.

ATTORNEY:

You may have provided the...(inaudible)...to me... we'll look for it.

CLAIMANT:

It's a form out you fill out... to carry on to go to the judge....

DECISION REVIEW OFFICER:

Yeah, it's called....



CLAIMANT: ... (inaudible)... in DC?

DECISION REVIEW OFFICER: Yeah, it's called a VA Form 9. What... what the appeals process does is... so, we have the hearing with you and then we do a complete review of the evidence of record and then we issue... if we can grant the benefit, we grant it and we're done. If we can't, we issue what's called a Statement of the Case; that's that legal document... it's the 30 to 40 pages that was sent out in the end of December that you received in early January and that gives you the opportunity... as an attachment was... was the VA Form 9, that's the form that you would fill out if you're still in disagreement... that would give you the opportunity to elevate your case up to Washington, where a judge will review it and then you would have another hearing like this, possibly in front of a judge who's able to make a... you know... another decision on your case if we can't grant it here locally, like we're doing here today.

CLAIMANT: Yeah... well... will the judge get the form that says if a... (inaudible)... spouse that she was married for at least... over a year or more... over a year or more... honorary... honorary soldier or war hero for this country or a woman who had a baby by the Veteran who was pregnant... that would... that would classify me as being a spouse and receiving spousal benefits... we got that form... that... that attachment... that's it....

DECISION REVIEW OFFICER: Yeah, the....

CLAIMANT: ... the honorary and a baby either before the marriage or a baby... child during the marriage; I got that form that I circled little notes on that to be considered for Veteran's benefits... I got that one.

DECISION REVIEW OFFICER: Yeah, I was talking about....

CLAIMANT: I have to look for the one that he... he talking about in my stack when I get home.

DECISION REVIEW OFFICER: Yeah, the VA Form 9, that's the...that's the form because if that doesn't get filled out, then the appeal doesn't... it goes away... okay... I mean, that...that's a very important form.

CLAIMANT: Right...right.

DECISION REVIEW OFFICER: Yeah.

CLAIMANT: And if I can't find it, I can always call the number that I called for...(inaudible)...to send me the form, right?

DECISION REVIEW OFFICER: Yeah, or you can print it off if you have a computer at home with a printer...VA Form 9...yeah.

CLAIMANT: Well, I'm old school; I don't do computer, I still ...at the house, a plug-in phone in the wall; I don't have no cell phone....

DECISION REVIEW OFFICER: Okay.

CLAIMANT: ...I don't do that...old school.

DECISION REVIEW OFFICER: You can call us and we'll provide you another copy.

CLAIMANT: Yeah...yeah, I'll just call on the phone and... you know...I need...and then they'll send it... that's all.

DECISION REVIEW OFFICER: Yeah, absolutely.

CLAIMANT: I'm here 'cause I'm trying to fight for my spousal benefits...that's why I'm here.

DECISION REVIEW OFFICER: Okay. Before we...I mean, that's about everything I had; did you want to add anything else?

CLAIMANT: I got the pictures of the wedding.

DECISION REVIEW OFFICER: Okay.

CLAIMANT: Pictures... pictures to identify Mr. Hollie and who he is and you can identify who I am and see the ceremonial part of... of the marriage that was done in Reno; the actual licenses and ... (inaudible)... in Reno 'cause it's a chapel and then after you can have the celebration... that's what I have of the marriage and of the... of the wedding.

DECISION REVIEW OFFICER: Okay.

CLAIMANT: There was no intention that I be... that I was treated how I was treated... I had no idea....

DECISION REVIEW OFFICER: Right.

CLAIMANT: ... I never saw that coming... I never saw that coming.

DECISION REVIEW OFFICER: Well, I... I can see you have those pictures there and... and... I mean, if you want to submit a copy and do that... you know... we'll make it part of the record. To be honest....

CLAIMANT: And also....

DECISION REVIEW OFFICER: Okay.

CLAIMANT: ... the marriage health certificate that I kept... 'cause back then, you had to have... you had to have a health... (inaudible)... to get married. You couldn't just get married like that... just get married... but then back then, you had to have one of these....

DECISION REVIEW OFFICER: Okay.

CLAIMANT: ...and I have this. So, I can give it to them... make a copy and scan it...this...you know... who do I give it to?

DECISION REVIEW OFFICER: Well...yeah, I mean...you can...if there's an employee there when you exit, just tell 'em to make a copy and they'll...and then...and then on the copy, write your file number on that... that 24-282-411...write that file on there and then we'll upload it.

CLAIMANT: (Inaudible)....

DECISION REVIEW OFFICER: Yeah, it's 24-282...

CLAIMANT: 282.

DECISION REVIEW OFFICER: ...411.

CLAIMANT: 411...so, give it to them and they'll put that number on the paperwork?

DECISION REVIEW OFFICER: On the copy...yeah...don't write it on your original there...but yeah, put 'em on your copies and then they can upload it...I mean, you can...I don't want...I don't want you to send those because I don't want you to lose those...okay.

CLAIMANT: Well, this is what I made to give to you all; I already have this...this is for you all to keep.

DECISION REVIEW OFFICER: Okay...okay, so those are...those are copies already?

CLAIMANT: The marriage thing, you gon' have to scan.

DECISION REVIEW OFFICER: Yes, scan that. If you want, you can just give those then to the...to the employee and they'll upload those to your electronic file.

CLAIMANT: Okay, and then one more thing is that I have always been a Hollie. Even though I was...you

know... I don't know... I think it's kind of strange this whole love affair thing, but I was always... I was always a Hollie... you know... that was part of... when you have a baby, they're supposed to carry the name of the father, so I have... so I was a Hollie even though through all the trauma and stuff... I was a Hollie. I was there when he worked in... worked in Newark and went to work....

DECISION REVIEW OFFICER:

Okay.

CLAIMANT:

... I'm the wife.

DECISION REVIEW OFFICER:

That's very good... yeah.

CLAIMANT:

(Inaudible)... and I feel that I deserve to be rewarded the benefits.

DECISION REVIEW OFFICER:

Okay... yeah, absolutely... I mean, I'm glad we got this all on record here. It will be... like I said, the transcript will be provided to you in roughly 30 to 60 days I'm hoping.

ATTORNEY:

Oh, and there's one thing that Ms. Hollie may want me to point out. As I said, my role is observing, but I just want to point out one thing that she basically referred to that maybe she wanted to be more specific about... but in the attachment that was sent to her in the December 30<sup>th</sup> decision... specifically, number 3, Marriage Dates Requirement and Pension Claims, which had a changed date of April 26, 2015, and then... it... it appears to be based on 38 CFR 3.54, it says that:

*A surviving spouse with potential entitlement to survivor's pension meets their requirements pursuant to 38 CFR 3.54; at least one of the following is true; one, the Veteran is married... the Claimant is married to the Veteran one year or more before the Veteran's death.*

Well, she was certainly married to him for... say  
...legally, for six years from '70 to '76.

*A child is born of the marriage.*

And Germaine was born when?

CLAIMANT:

April 11, 1971.

ATTORNEY:

Okay. So, that would qualify and:

*The Claimant was married to the Veteran  
before the delimiting dates listed in the table  
below.*

Since he was a Vietnam-era Veteran, clearly  
before May 8, 1985, so based on that, it  
appears that she would have prima facie... a  
prima facie claim eligible.

DECISION REVIEW OFFICER:

Okay. Yeah, thank you... I mean, it's... it's of  
record, so we will be able to review that  
reference....

ATTORNEY:

Okay.

DECISION REVIEW OFFICER:

... upon a decision... so....

ATTORNEY:

Okay.

DECISION REVIEW OFFICER:

With that said, last chance, Cherrie, to provide  
any other testimony or if you're satisfied with  
the hearing, I will go ahead and adjourn the  
hearing.

CLAIMANT:

Thank you for your time and for your energy...  
on-fire energy this morning despite they didn't  
get my...(inaudible)...at the front desk and I'm  
gonna continue to be an advocate... I'm an  
advocate for... now for domestic violence now  
in my life... that's what I do now for others who  
are... who are affected by... I call it a disease...

disabling disease and all of the above...thank  
you so much.

DECISION REVIEW OFFICER: Very good.

ATTORNEY: Thank you.

DECISION REVIEW OFFICER: Thank you so much. Are you satisfied,  
Cherrie, with the hearing today?

CLAIMANT: Yeah, so far so good...just don't make no more  
typos.

DECISION REVIEW OFFICER: We'll try.

Thank you.

ATTORNEY: Thank you.

CLAIMANT: Okay, thank you.

I HEREBY CERTIFY THE FOREGOING 22 PAGES ARE, TO THE BEST  
OF MY KNOWLEDGE AND BELIEF, A TRUE AND CORRECT HEARING  
TRANSCRIPT.

Transcribed by: 377/23/JVL

Date: May 31, 2017

HOLLIE2411\_JVL

# Memorandum

2020-1486 - Holliev. Wilkie

To: United States Court of Appeals For  
The Federal Circuit  
417 Madison place, N.W.  
Washington, D.C. 20439

From: Cherie A. Hollie  
3675 39th Ave. #5  
Oakland, CA. 94619

Date: 5/4/20, total 5 pages.

Subject: A Claimant is a person, humane,  
and Fairness Counts For all,  
Management, policy Making,  
proper, relevant regulations.

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MAY 04 2020

United States Court of Appeals  
For The Federal Circuit

I am writing to inform you that my  
VA paperwork from Oakland, CA. on my hearing  
dated 5/22/17, before RO Jason Reger, falls  
under relevant regulations. My paperwork  
was ignored, discounted, or error, this is  
not proper. This hearing touched bases  
on a lot of important matters. In this  
hearing the voice had no functional issues,  
that was called "error code, error  
codes, see RBA 5 of 9/26/18 Transcript  
Washington, DC. This problem was fixed.  
5/22/17 and addressed by the RO, Jason  
Reger.

Over on next page

EXHIBIT 17319

xCherie Hollie  
Signed



\* Reference all at: RBA 100 to RBA 121. (HEARING)

I presented more additional evidence, such as Marriage Health Certificate and Marriage photos. For which I was told, "I don't want you to lose those". The RO, Mr. Jason Reyer gave a detail policy and procedure talk that was very informative, and stressed you must have a (V-9) to continue or follow up with the appeals process. This day I wasn't feeling well but, I kept listening about the (V-9). It was not long after the meeting that he sent the (V-9) forms, and we my helper completed the forms then mail it off. It had to be certified, they said, it took sometime before being sent to the VA office in Oakland, CA. 11th floor: Department of Veterans Affairs, VA Regional Office, 1301 Clay Street, North Tower, Oakland, CA. 94612-9908. My hearing did not get off to a good start again. They send me the letter to appear for the hearing but, put the wrong case number on it see RBA 95. & RBA 97. I didn't know what to think, my way, I was on time for this second hearing before RO Jason Reyer with Mr. Ammon Attorney At Law.

next page x Cherie, Hollie

Now, I am still going through the process of my Case. Things are happening beyond my experience and knowledge in Washington D.C. I was even more stressed, it was a more than average wait time for the session. The Judge, to be seen, and hear from us, me and Mr. Barry Annon attorney at law. The recent next thing is CAVC, more decisions... Can the CAVC make a fair decision? if its short or misunderstood, the premature, was not addressed because, it did not have its present, the Oakland California VA Hearing transcript before Mr. Jason Reder of 5/22/17. This was not fair to me. I am disabled, and elderly with trouble sometimes sight problems now... Since, the start of all these steps to appeals, I have been giving evidence, even while ill. such as 38, 7107 RBA 47 & RBA 50, and still I am the surviving spouse of CHARLIE F. Hollie, CHARLES F. Hollie.

next page x Charice Hollie  
signed

Earlier during this week I had forgotten about  
 the VA hearing in Oakland, CA before RO,  
 Jason Peger, but, there was a transcript.  
 5/22/17 and he gave/sent the (V-9) forms.  
 This is all in the journey, and it seems  
 that it was ignored. This document  
 is relevant to regulations. In my case  
 all documents are relevant. I'm a  
 survivor of domestic violence, and I  
 suffered a head injury. It's a  
 fight for me. The hearing statement  
 of the case was 6/13/17. Where it  
 reads: pertinent laws, regulations,  
 rating schedules provisions. This is  
 where the benefit of the doubt  
 was given, be it the secretary,  
 or BVA, I'm not sure, but, I  
 took note to: 38, 501(a), rules and  
 regulations, how to all. Ignored  
 was I, up to the (ROP) 10/16/19, US. vet.  
 App. R. 28.1 (a) error or what is  
 it? I AM a survivor of domestic  
 violence. I never received  
 my VA benefits, fact. I  
 continued the journey in spite  
 of dilemmas.

x Cherrie Holthe  
 signed

to over →

I, Continued the Journey, because of my health, My  
Left side and other parts, II, decided to get  
Closer to home SF, CA or LA (Los Angeles), based  
California, and the pressure of getting appointments  
with Mr. Amma, Attorney at Law deadlines grow  
fast on filing things. Time was at stake I wasn't  
given my options with a clear understanding of  
the procedures... The Federal Circuit was  
filed and I would be close to easy accessible  
transportation. I have a walking cane now.  
I was getting older and health issues was a  
concern. I felt rushed. I decided I needed  
to voice my concerns and tell it like it is... try!  
Oral argument! Well, I received a motion/order  
dated 3/23/20 but, on 4/25/20 I received another notice  
of submission without oral argument, A Memorandum  
in lieu of oral argument. OK, Now, its shelter-in-  
place mandate develop and I'm high risk, so  
I decided to do this memorandum, during these  
worldly difficult times. I would like to say,  
"ways and means meetings" and being impartial  
is keys. You may have a situation like  
mine. I was a teenager, I called him CHARLES.  
I had a head injury. I love CHARLIE/CHARLES.  
"I am the wife" RBA 105. My VA, transcript, should be  
and (top) protected? relevant regulations, CFR  
3.54, RBA 151. (V-9) AS of this day I wait for  
5/4/20 corrections. Now, no one can tell me, stuff  
life. What TRANSCRIPT? who? did you give it  
too? "what did they SAY?" To confuse me and  
I AM disabled, Elderly. see 12-12-19 info.  
Errors do happen. 12-12-19 Relevant.  
12-19-19

(5.) (V-9) "is very important he  
said, "Jason Reger."

X Chemie Holbe thank  
you  
Eriana