

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals  
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John Bono  
Petitioner,

Docket No: CR-24-0612

Date: January 17, 2025

v.

State Board of Retirement  
Respondent.

**ORDER OF DISMISSAL**

The Petitioner appeals from the State Board of Retirement's denial of his application to purchase creditable service. It appears the Petitioner was attempting to purchase service from the same agency that employed him. Additionally, the Petitioner was an inactive member when he submitted his application. But only active members may purchase prior creditable service. *Zavaglia v. Gloucester Retirement Bd.*, CR-09-459, \*5 (DALA, Jan. 10, 2014).

On December 4, 2024, the Petitioner was directed to show cause why the appeal should not be dismissed for failure to state a claim by January 10, 2025. 801 Code Mass. Regs. § 1.01(7)(g)(3). He was advised that failure to make such a showing would result in dismissal of the appeal. The Petitioner did not submit a response to the Order to Show Cause. Accordingly, it is hereby ORDERED that the appeal is **DISMISSED**.

DIVISION OF ADMINISTRATIVE LAW APPEALS

*Eric Tennen*

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Eric Tennen  
Administrative Magistrate