

## COMMONWEALTH OF MASSACHUSETTS

**Middlesex, ss.**

**Division of Administrative Law Appeals**

**Aimee Brown,**  
Petitioner,

No. CR-24-0643

Dated: February 7, 2025

v.

**Massachusetts Teachers' Retirement  
System,**  
Respondent.

### ORDER OF DISMISSAL

Petitioner Aimee Brown appeals from a decision of the Massachusetts Teachers' Retirement System (board) denying her application to purchase retirement credit for a period of military service. *See* G.L. c. 32, § 4(1)(h). In a submission dated January 8, 2025, the board made a detailed presentation in support of its decision. The board also moved to dismiss for lack of jurisdiction. Ms. Brown's deadline to oppose that motion has expired.

Appeals from decisions of the retirement boards must be taken "within fifteen days." G.L. c. 32, § 16(4). *See Bailey v. State Bd. of Ret.*, No. CR-07-724, 2012 WL 13406339, at \*2 (CRAB Nov. 16, 2012). For the reasons described in section B of the board's memorandum, Ms. Brown filed her appeal after the statutory deadline had expired. The deadline is jurisdictional, *Sanphy v. Massachusetts Teachers' Ret. Syst.*, No. CR-11-510, 2013 WL 12629458 (Contributory Ret. App. Bd. Mar. 29, 2013), meaning that this tribunal has no authority to extend it, *Commonwealth v. Claudio*, 96 Mass. App. Ct. 787, 791-92 (2020), or to take any action on an untimely appeal other than "dismissing the cause," *Phone Recovery Servs. v. Verizon of New England*, 480 Mass. 224, 230 (2018).

In view of the foregoing, it is hereby ORDERED that the motion to dismiss is ALLOWED and the appeal is DISMISSED.

Division of Administrative Law Appeals

/s/ Yakov Malkiel

Yakov Malkiel

Administrative Magistrate