

**COMMONWEALTH OF MASSACHUSETTS  
DIVISION OF ADMINISTRATIVE LAW APPEALS**

Middlesex, ss.

Javier Colon,  
Petitioner,

Docket No.: CR-22-0295

v.

State Board of Retirement,  
Respondent.

**ORDER OF DISMISSAL**

The Petitioner appealed the State Board of Retirement's decision regarding his group classification. He has failed to file a pre-hearing memorandum, despite a prior order to show cause for failure to do the same. The Board has filed two motions to dismiss. Instead of dismissing the matter, he was given another opportunity to respond, which he again failed to do. I then issued an order to show cause on November 20, 2025 asking the Petitioner to respond by December 19, 2025 as to why his appeal should not be dismissed. I indicated failure to respond would result in a dismissal. No response was received.

Accordingly, it is hereby ordered the appeal is **dismissed** for failure to prosecute.

Dated: January 2, 2026

*Eric Tennen*

---

Eric Tennen, Magistrate  
DIVISION OF ADMINISTRATIVE LAW APPEALS  
14 Summer St., 4th Floor  
Malden, MA 02148  
Tel: (781) 397-4700  
[www.mass.gov/dala](http://www.mass.gov/dala)