

**COMMONWEALTH OF MASSACHUSETTS**

**Middlesex, ss.**

**Division of Administrative Law Appeals**

**Donna Costa-Pryor,**  
Petitioner

Docket No.: CR-24-0040

v.

**State Board of Retirement,**  
Respondent

**CONDITIONAL ORDER OF DISMISSAL**

Petitioner Donna-Costa Pryor appeals from a decision of the State Board of Retirement (SBR) denying her application to purchase creditable service pursuant to Chapter 32 of the Massachusetts General Laws. On February 21, 2024, the Division of Administrative Law Appeals (DALA) ordered the SBR to file a memorandum in support of its decision by May 15, 2024. DALA also ordered Ms. Costa-Pryor to file a similar memorandum by June 28, 2024. Although the SBR filed its memorandum, Ms. Costa-Pryor failed to do so. DALA then issued an Order to Show Cause, requiring her to state in writing by June 27, 2025, why her appeal should not be dismissed for failure to prosecute. Ms. Costa-Pryor responded by requesting leniency because she was caring for a family member who was ill. DALA allowed Ms. Costa-Pryor's request and ordered her to file a status report by March 27, 2026. Ms. Costa-Pryor did not do so.

In light of the foregoing, I am conditionally dismissing the appeal for failure to prosecute. 801 CMR 1.01(7)(g)(2). This dismissal will become final on **May 8, 2026**, unless Ms. Costa-Pryor files the memorandum described in the DALA 2024 order on or before that date. That

memorandum must address the SBR's memorandum and present any additional facts and legal argument that would tend to show that she may purchase time from her 1993 maternity leave.

Dated: April 3, 2026

/s/ Judi Goldberg

Judi Goldberg

Administrative Magistrate

DIVISION OF ADMINISTRATIVE LAW APPEALS

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