

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

Middlesex, ss.

M.S.,
Petitioner,

Docket No.: DPPC-25-0760

v.

Disabled Person Protection Commission,
Respondent.

ORDER OF DISMISSAL

The Petitioner, M.S., appeals a finding by the Disabled Person Protection Commission (DPPC) that he committed registrable abuse and placing his name on the abuse registry. 118 Code of Mass. Regs. §§ 14.02 & 14.03.

Before placing him on the registry, in a letter dated August 14, 2025, DPPC notified M.S. that it made a preliminary finding that he had committed “abuse *per se*” under G.L. c. 19C. DPPC explained that he had until September 3, 2025 to file an appeal, i.e. a Petition objecting to these findings. DPPC warned M.S. that the Petition had to be received by that date, that he was responsible for ensuring it was received, and that failure to submit a Petition before that date would mean his right to respond “shall be waived.” G.L. c. 19C § 15(c). When M.S. failed to file a timely Petition, DPPC placed him on the abuse registry. DPPC notified him of this in another letter dated September 9, 2025. It specifically explained that, “because [he] failed to submit a written Petition for Review, [his] right to respond has been waived[.]”

Over three months later, on December 11, 2025, M.S. filed an appeal directly with the Division of Administrative Law Appeals (DALA). DALA issued an order to show cause asking why the appeal should not be dismissed as untimely. M.S. responded to the order essentially with a

defense to the allegations. But he did not say that he filed a timely appeal with DPPC, nor did he explain why he filed his appeal so late.

Unfortunately, DALA has no jurisdiction to hear the merits of an appeal filed after the deadline to appeal has passed. Such deadlines are jurisdictional, and DALA has no power to grant equitable relief extending the deadline.¹

Accordingly, it is hereby ordered the appeal is **dismissed** for lack of jurisdiction.

Dated: January 7, 2026

Eric Tennen

Eric Tennen, Magistrate
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¹ Even if DALA possessed equitable powers to excuse a late filing, the Petitioner has not put forth any reasons why he did not file a timely appeal with DPPC.