

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

Middlesex, ss.

Joseph Durham,
Petitioner,

Docket No.: CR-24-0696

v.

Public Employee Retirement Administration Commission,
Respondent.

ORDER OF DISMISSAL

Petitioner Joseph Durham appeals from the determination of the Public Employee Retirement Administration Commission denying his application for reinstatement, based on finding that he is medically unable to perform the essential duties of the position he retired from or a similar job within the same department for which he is qualified. On May 23, 2025, I sent him an order to show cause why his appeal should not be dismissed due to his failure to submit a prehearing memorandum by January 31, 2025 as ordered. I gave him until June 27, 2025 to respond. No response was received.

Accordingly, this appeal is dismissed for failure to prosecute. 801 CMR 1.01(7)(g)3.

James P. Rooney

Dated: November 14, 2025

James P. Rooney
First Administrative Magistrate
DIVISION OF ADMINISTRATIVE LAW APPEALS
14 Summer St., 4th Floor
Malden, MA 02148
Tel: (781) 397-4700
www.mass.gov/dala

Notice sent to: Joseph Durham
Felicia Baruffi, Esq.