

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN MEDICINE**

Middlesex, ss.

Adjudicatory Case No. 2021-039
(RM-21-0382)

In the Matter of)

Roberto Pineda, M.D)
_____)

FINAL DECISION AND ORDER

Procedural History

The Board initiated this matter by issuing a Statement of Allegations (SOA) against the Respondent on October 7, 2021 and referring the matter to the Division of Administrative Law Appeals (DALA). The DALA Magistrate conducted a prehearing conference on November 4, 2021. On June 27, 2024, the Board issued an amended Statement of Allegations in this matter.

On April 4, 2025, Complaint Counsel filed a Motion to Dismiss, without prejudice, stating that the “based on the current state of the evidence, [the Board] would not meet its burden at an evidentiary hearing.” On April 10, 2025, the Administrative Magistrate, Yakov Malkiel, allowed this unopposed motion and issued an Order of Dismissal.

Discussion

This matter came before the Board for disposition on the basis of the Administrative Magistrate’s Order of Dismissal, dated April 10, 2025, which is attached hereto and incorporated by reference. After full consideration of the Recommended Order, the Board ADOPTS the Order of Dismissal.

As such, the Board hereby **DISMISSES** the amended Statement of Allegations, **WITH PREJUDICE**, on the basis that the Board cannot sustain its burden of proof at an evidentiary hearing, and, in accordance with M.G.L. c. 112, § 5, exonerates the Respondent.

Date: May 1, 2025

A handwritten signature in black ink, appearing to read 'Booker T. Bush', written in a cursive style.

Booker T. Bush, M.D.
Board Chair