

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Caroline M. Ganley,
Petitioner

Docket No. CR-25-0700

v.

State Board of Retirement,
Respondent

ORDER OF DISMISSAL

Petitioner Caroline M. Ganley appealed the State Board of Retirement's (SBR) denial of her request to purchase contract service pursuant to G.L. c. 32, § 4(1)(s). The SBR's regulations clarify section 4(1)(s)'s provision regarding when a member's contract service occurred: "The contract employee service being purchased must have immediately preceded membership or re-entry into the MSERS [Massachusetts State Employees' Retirement System]. For purposes of this regulation, 'immediately preceded' shall mean within 180 calendar days." 941 CMR 209(3)(e).

Ms. Ganley is seeking to purchase contract service from February 11, 1993, to June 30, 1996. When Ms. Ganley concluded her contract service, she became a member of the Lawrence Retirement System (from November 8, 2000, to January 20, 2007). She left the Lawrence Retirement System and became a member of the MSERS on January 13, 2013.

Ms. Ganley's last day of work as a contract employee was on June 30, 1996, more than 180 calendar days before her entry into MSERS on January 13, 2013. I therefore issued an Order to Show Cause why her appeal should not be dismissed for failure to state a claim on which relief may be granted. Ms. Ganley responded to this Order to correct the misunderstanding that she was no longer a member in service. I thereafter issued a second Order to Show Cause why she

should be able to purchase contract service that occurred more than 180 calendar days after her MSERS membership. In that Order, I indicated that I may dismiss the matter if she failed to provide a sufficient response. She failed to respond to the second Order.

Accordingly, I hereby **dismiss** the Petitioner's appeal for failure to prosecute. 801 CMR 1.01(7)(g)(2).

Dated: March 6, 2026

/s/ Judi Goldberg
Judi Goldberg
Administrative Magistrate
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