

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Eric Knight,
Petitioner

Docket No: CR-26-0300

v.

Marblehead Retirement Board,
Respondent

Date: June 26, 2026

ORDER OF DISMISSAL

Eric Knight appealed from a letter dated April 7, 2026, in which the Marblehead Retirement Board declined to alter its calculation of the creditable service he earned while working for the Marblehead Public Schools. While the letter appears to be a final decision by the Board, the Board did not list any appeal rights Mr. Knight might have.

Under the Contributory Retirement Appeal Board's decision in *Barnstable County Retirement Bd. v. Public Employee Retirement Administration Comm'n*, CR-07-163 (CRAB Feb. 17, 2012), a written ruling by a retirement board is not, an appealable "decision" within the meaning of M.G.L. c. 32, § 16(4) unless it "expressly states that it is an appealable decision and . . . gives notice of the fifteen-day appeal period and to whom the appeal letter must be sent."

What this means is that the Board's April 27, 2026, letter was not appealable and hence Mr. Knight's appeal is premature. The Board can make its decision final by reissuing the letter and listing appeal rights as described in *Barnstable County*. But for now, Mr. Knight's appeal is dismissed without prejudice as premature. 801 CMR 1.07(g)3.

DIVISION OF ADMINISTRATIVE LAW APPEALS

James P. Rooney

James P. Rooney

First Administrative Magistrate

DIVISION OF ADMINISTRATIVE LAW APPEALS

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