

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

L.E.,

Docket No.: DPPC-25-0360

Petitioner,

v.

Disabled Persons Protection Commission,

Respondent.

ORDER OF DISMISSAL

This is an appeal from a decision of the Disabled Persons Protection Commission to enter the petitioner's name in the registry of care providers established by G.L. c. 19C, § 15. A separate criminal prosecution is underway in connection with similar facts. As a result, and by agreement of both parties, this appeal was stayed in July 2025.

In order to keep the appeal on track toward a speedy disposition, the order entering the stay required the petitioner to report on the status of the criminal case by the end of each month beginning in August 2025. The petitioner was advised that his "failure to timely file any monthly report may be treated as a failure to prosecute."

The petitioner did not file a status report for August 2025. He was then ordered to show cause why the appeal should not be dismissed for failure to prosecute. He was reminded of that requirement in a subsequent order, which established a firm deadline for the petitioner's showing of cause. That deadline has expired without the petitioner having responded in any way.

The record now discloses the petitioner's failure "to respond to notices or correspondence," his failure "to comply with orders of the Presiding Officer," and his intention

“not to continue with the prosecution of [his] claim.” 801 C.M.R. § 1.01(7)(g)(2). Adjudicative proceedings cannot remain ongoing indefinitely while the supposedly aggrieved party is not actually pursuing any relief.

Accordingly, it is hereby ORDERED that this appeal is DISMISSED.

Dated: October 1, 2025

/s/ Yakov Malkiel

Yakov Malkiel

Administrative Magistrate

DIVISION OF ADMINISTRATIVE LAW APPEALS

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