

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

Middlesex, ss.

Gregory Mackin,  
Petitioner,

Docket No.: CR-24-0371

v.

Boston Retirement System,  
Respondent.

**CONDITIONAL DISMISSAL**

Disability retiree Gregory Mackin appealed from a notice from the Boston Retirement System informing him that the Public Employee Retirement Administration Commission (PERAC) had determined that he had excess earnings of \$19,248.92 in 2021 that he would need to refund to the Retirement System. On November 14, 2025, the Retirement System filed a motion to dismiss based on PERAC's change of position, with the agency now stating that Mr. Mackin does not owe a benefit refund for 2021.

Because it appears that PERAC's change of position means that Mr. Mackin does not owe a refund, which is the best possible result Mr. Mackin could achieve in this proceeding, I am therefore conditionally dismissing Mr. Mackin's appeal as moot. See 801 CMR 1.01(7)(g)3. The dismissal will become final by December 19, 2025, unless by that date Mr. Mackin files a written response indicating what live issue remains. If Mr. Mackin accepts this dismissal, he need take no action.

***James P. Rooney***

Dated: November 25, 2025

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James P. Rooney  
First Administrative Magistrate  
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Notice sent to: Gregory Mackin  
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