

**COMMONWEALTH OF MASSACHUSETTS**

**Middlesex, ss.**

**Division of Administrative Law Appeals**

**Daniel McAvoy,**  
Petitioner,

No. CR-25-0297

Dated: July 25, 2025

v.

**State Board of Retirement,**  
Respondent.

**ORDER OF DISMISSAL**

Petitioner Daniel McAvoy appeals from the respondent board's denial of his post-retirement request to modify his retirement "option" under G.L. c. 32, § 12(2). *See Morales v. State Bd. of Ret.*, No. CR-04-529 (Div. Admin. Law App. July 12, 2007); *Elsmore v. Taunton Ret. Bd.*, No. CR-05-533 (Div. Admin. Law App. June 27, 2006). A prior order required Mr. McAvoy to show cause why his appeal should not be dismissed for failure to state a claim. The order stated that Mr. McAvoy's failure to respond would result in dismissal of the appeal.

Mr. McAvoy has filed nothing further. It is therefore ORDERED that this appeal is DISMISSED.

Division of Administrative Law Appeals

/s/ Yakov Malkiel

Yakov Malkiel

Administrative Magistrate