

**COMMONWEALTH OF MASSACHUSETTS**

**Middlesex, ss.**

**Division of Administrative Law Appeals**

**Kristin Morse,**  
Petitioner,

No. CR-24-0354

Dated: March 14, 2025

v.

**State Board of Retirement,**  
Respondent.

**ORDER OF DISMISSAL**

This is an appeal from a decision of the State Board of Retirement (board) denying petitioner Kristin Morse’s second application to purchase retirement credit for a period of contract service. *See* G.L. c. 32, § 4(1)(s).

An August 2024 scheduling order submitted the matter on the papers and set deadlines for the parties’ submissions. Ms. Morse’s deadline to file a memorandum and proposed exhibits was in October 2024. She did not comply with that deadline. In December 2024, the board moved to dismiss based on failure to prosecute. First Magistrate Rooney established a January 2025 deadline for Ms. Morse to oppose the motion. She has filed no response.

Ms. Morse has failed “to comply with orders” and to “respond to notices or correspondence.” 801 C.M.R. § 1.01(7)(g)(2). By submitting neither an opposition to the motion to dismiss nor a memorandum and exhibits in support of her appeal, Ms. Morse has also “otherwise indicate[d] an intention not to continue with the prosecution of [her] claim.” *Id.* *See also Metro v. Newton Ret. Bd.*, No. CR-20-237, 2024 WL 5112217 (Contributory Ret. App. Bd. Nov. 18, 2024). Dismissal based on failure to prosecute is therefore appropriate. Adjudicative tribunals must focus their limited resources on the disputes that are actually being litigated. *See Bucchiere v. New England Tel. & Tel. Co.*, 396 Mass. 639, 641 (1986).

In view of the foregoing, it is hereby ORDERED that the motion to dismiss is ALLOWED and the appeal is DISMISSED.

Division of Administrative Law Appeals

/s/ Yakov Malkiel

Yakov Malkiel

Administrative Magistrate