

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals  
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Rory O'Connor

Docket No. CR-24-0682

Petitioner

v.

Boston Retirement System

Date: June 6, 2025

Respondent

**CONDITIONAL DISMISSAL**

Rory O'Connor appealed from a November 5, 2024 determination by the Boston Retirement System that he had excess earnings in 2023, and thus owed \$8,703.75 to the Retirement System. He also requested a hearing before the Retirement System on the potential suspension of his retirement benefit. I stayed his appeal to await the result on that hearing.

Counsel for the Retirement System has now reported that the Public Employee Retirement Administration Commission (PERAC) has reviewed updated salary information submitted by Mr. O'Connor. This time, PERAC determined that Mr. O'Connor did not have excess earnings in 2023.

PERAC's determination that Mr. O'Connor had no excess earnings in 2023 appears to resolve this matter and make the appeal moot. I am therefore conditionally dismissing it. See 801 CMR 1.01(7)(g)3. The dismissal will become final by June 30,

2025, unless by that date Mr. O'Connor files a request to keep the appeal open and states what issues remain to be resolved.

If Mr. O'Connor agrees with the dismissal, he need take no action.

DIVISION OF ADMINISTRATIVE LAW APPEALS

***James P. Rooney***

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James P. Rooney

First Administrative Magistrate

Order sent to: Rory O'Connor

Natacha Thomas, Esq.