

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Lisa Ostellino,
Petitioner,

No. CR-25-0032

Dated: April 4, 2025

v.

Massachusetts Teachers' Retirement System
and **Pittsfield Retirement System,**
Respondents.

ORDER OF DISMISSAL

This is an appeal from a decision excluding petitioner Lisa Ostellino from the benefits program known as Retirement Plus. G.L. c. 32, § 5(4). As an individual who was already a teacher and a retirement-system member in 2001, Ms. Ostellino was permitted to enroll in Retirement Plus no later than the middle of that year. Acts 2000, c. 114, § 2.

A prior order explained that teachers who missed the mid-2001 deadline generally cannot join Retirement Plus at a later date. *See Roldan-Flores v. Massachusetts Teachers' Ret. Syst.*, No. CR-18-311, 2020 WL 14009727 (Contributory Ret. App. Bd. Dec. 10, 2020). The order required Ms. Ostellino to show cause why the appeal should not be dismissed for failure to state a claim. *See* 801 C.M.R. § 1.01(7)(g)(3). Ms. Ostellino has filed a brief response to the effect that—understandably, given that the appeal turns on events occurring more than twenty years ago—she possesses no evidence supportive of her entitlement to relief.

In view of the foregoing, it is hereby ORDERED that this appeal is DISMISSED.

Division of Administrative Law Appeals

/s/ Yakov Malkiel
Yakov Malkiel
Administrative Magistrate