

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

John Perez,
Petitioner,

No. CR-23-0265

Dated: January 17, 2025

v.

State Board of Retirement,
Respondent.

ORDER OF DISMISSAL

This appeal arises from a decision of respondent the State Board of Retirement to make an “anti-spiking” adjustment to petitioner John Perez’s regular compensation for retirement purposes. *See* G.L. c. 32, § 5(2)(f). An order dated January 3, 2025 observed that the appeal was not filed within the fifteen-day deadline imposed by G.L. c. 32, § 16(4). The order afforded the parties an opportunity to show cause why the appeal should not be dismissed for lack of jurisdiction. *See Lambert v. Massachusetts Teachers’ Ret. Syst.*, No. CR-09-74, 2012 WL 13406355, at *2-3 (Contributory Ret. App. Bd. Feb. 17, 2012).

Neither party has filed a response. Accordingly, it is hereby ORDERED that this appeal is DISMISSED. Mr. Perez remains free to ask the respondent to reconsider his case in light of the newly enacted Acts 2024, c. 141, § 3.

Division of Administrative Law Appeals

/s/ Yakov Malkiel
Yakov Malkiel
Administrative Magistrate