

COMMONWEALTH OF MASSACHUSETTS  
CONTRIBUTORY RETIREMENT APPEAL BOARD

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ISAAC PERRY & ADAM MURPHY

**Petitioners-Appellants**

v.

PLYMOUTH COUNTY RETIREMENT ADMINISTRATION,

**Respondent-Appellee.**

**CR-20-132 & CR-20-133**

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**DISMISSAL FOR LACK OF PROSECUTION**

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In a decision dated December 2, 2022, an Administrative Magistrate of the Division of Administrative Law Appeals (DALA) issued a decision affirming the Plymouth County Retirement Administration's decision to deny Petitioners Isaac Perry and Adam Murphy's application for Group 4 retirement classification. The Petitioners submitted a timely notice of appeal to the Contributory Retirement Appeal Board (CRAB) postmarked December 16, 2022. CRAB received the objection on December 21, 2022, and that same day, we acknowledged receipt of the appeal and provided all parties with copies of our Standing Order 2008-1 (Standing order Concerning Appeals from the Division of Administrative Law Appeals).

On March 3, 2023 CRAB issued an Order of Conditional Dismissal. We noted that the Petitioners had failed to comply with CRAB's Standing Order 2008-1 and ordered that this case be dismissed subject to the following conditions:

(1) If within fourteen days of the date of this Order appellants file with us a statement of reasons, supported by whatever affidavit or affidavits may be required, showing good cause for the delay, then the dismissal shall be stayed. Any appellee shall have fourteen days thereafter to submit an opposition.

**(2) If the chair, in his or her sole judgment and discretion, does not find the appellants' statement of reasons satisfactory, then the stay shall be lifted and the order of dismissal shall become final**

**as of the date notice of the chair's ruling is sent.** If the chair, in his or her sole judgment and discretion, finds the appellant's statement of reasons satisfactory, then the appellant shall have fourteen days from the date notice is sent within which to file and serve whatever documents are required to comply with Standing Order 2008-1 ¶ 4.a(3). In all other respects, any conditionally-dismissed appeal that an appellant is authorized by the chair to pursue shall be subject to the requirements of Standing Order 2008-1.

We have not received any further filings from either Petitioner. Mr. Perry and Mr. Murphy have filed neither the copies of the DALA exhibits, nor the memorandum of law required by our Standing Order, nor made any request for additional time or submitted a good cause explanation for their failure to complete Petitioners' filings. Accordingly, this appeal is dismissed for failure to prosecute.

SO ORDERED.

CONTRIBUTORY RETIREMENT APPEAL BOARD



Uyen M. Tran  
Assistant Attorney General  
Chair  
Attorney General's Appointee



Nicolle M. Allen, Esq.  
Governor's Appointee



Patrick M. Charles, Esq.  
Public Employee Retirement Administration Commission  
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Date: May 17, 2023