

**COMMONWEALTH OF MASSACHUSETTS
CONTRIBUTORY RETIREMENT APPEAL BOARD**

PATRICIA QUINN,

Petitioner-Appellant

v.

MASSACHUSETTS TEACHERS' RETIREMENT SYSTEM,

Respondent-Appellee

CR-21-0098

DECISION

On December 15, 2023 an administrative magistrate of the Division of Administrative Law Appeals (“DALA”) issued a decision affirming the Massachusetts Teachers’ Retirement System’s (“MTRS”) pro-rating of the Petitioner’s service rendered after 1990 pursuant to 807 CMR 3.04. The Contributory Retirement Appeal Board (“CRAB”) received an emailed copy of the DALA decision and notice of objection from the Petitioner’s counsel on December 19, 2023. The attorney’s notice of withdrawal accompanied the objection, asserting that the Petitioner would proceed with this appeal *pro se*. We acknowledged its receipt on January 3, 2024 and provided all parties with copies of our Standing Order 2008–1 (Standing order Concerning Appeals from the Division of Administrative Law Appeals).

On February 9, 2024 we issued to Petitioner an Order of Conditional Dismissal. We noted that Ms. Quinn’s supplemental filings were due January 24, 2024 and requested a response to our Order by February 23, 2024 “showing good cause for the delay.” As of the date of this Dismissal, we have not received any further filings or communication from Ms. Quinn. The Petitioner’s failure to respond to CRAB’s Order of Conditional Dismissal thus clearly “indicates an intention not to continue with the prosecution of a claim.” 801 C.M.R. § 1.01(7)(g)(2).

Accordingly, this appeal is dismissed for failure to prosecute.

SO ORDERED.

CONTRIBUTORY RETIREMENT APPEAL BOARD

Uyen M. Tran

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

Nicolle M. Allen

Nicolle M. Allen, Esq.
Governor's Appointee

Patrick M. Charles

Patrick M. Charles, Esq.
Public Employee Retirement
Administration Commission Appointee

Date: April 29, 2024