

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF ADMINISTRATIVE LAW APPEALS

Middlesex, ss.

John Rodrigues,
Petitioner,
v.

Docket No. CR-15-606

Public Employee Retirement Administration Commission,
Respondent.

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

On March 13, 2017, the parties asked to stay this case pending the resolution of a motion in a related matter, *Rodrigues v. Public Employee Retirement Administration Comm'n*, Suffolk County Superior Ct. Docket No. 13-556 (the "Superior Court litigation"). On August 3, 2022, the parties filed a stipulation of dismissal in the Superior Court litigation. Therefore, on November 15, 2024, I ordered the parties to provide a status report no later than December 3, 2024. I advised the parties that in the alternative, they could file a motion to dismiss if this matter was moot or settled. Neither party filed a status report or motion to dismiss.

On December 18, 2024, I ordered Mr. Rodrigues to file a written response demonstrating good cause for failing to submit a status report. I explained that if he failed to show good cause, this appeal would be dismissed. Mr. Rodrigues' response was due on January 10, 2025. To date, he has not filed a response.

Accordingly, this appeal is dismissed for failure to prosecute. 801 CMR 1.01(7)(g)(2).

Dated: January 17, 2025

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