

**COMMONWEALTH OF MASSACHUSETTS
DIVISION OF ADMINISTRATIVE LAW APPEALS**

Robert Romano,
Petitioner

v.

Docket No. CR-26-0030

Massachusetts Teachers' Retirement System,
Respondent

ORDER OF DISMISSAL

On August 26, 2025, Robert Romano emailed the Massachusetts Teachers' Retirement System (MTRS). On August 27, 2025, MTRS responded, stating in part that it disagreed with Mr. Romano's interpretation of G.L. c. 190B, §2-804.

MTRS advised Mr. Romano that he could appeal the decision within 15 days with an electronic appeal at a URL maintained by the Division of Administrative Law Appeals (DALA) or by mailing an appeal – and here the letter was in bold – to DALA's Chief Administrative Magistrate, whom the letter named, at the Division of Administrative Law Appeals (DALA), 14 Summer Street, 4th Floor, Malden, MA 02148. Instead of mailing the appeal to DALA, Mr. Romano mailed it to CRAB/DALA at 500 Rutherford Avenue, Charlestown, MA, 02129 – which is MTRS's address.

When Mr. Romano realized that he had not appealed to DALA, he re-sent material to DALA by email and U.S. mail on January 12, 2026.

On February 19, 2026, DALA ordered Mr. Romano to show cause why his appeal should not be dismissed for two reasons: (1) failure to meet the filing deadline at DALA; and (2) failure to state a claim upon which relief can be granted, namely, by relying on G.L. c. 190B, §2-804(b), which seemingly does not apply to his situation.

Mr. Romano, who was ordered to respond by March 2, 2026, instead, on February 20, 2026, submitted what he called "Replacement Initial Evidence Packet." According to the cover letter, "It contains (1) a Facts Summary, (2) a Full Narrative, and (3) an Exhibit Index identifying documents that are enclosed and/or will be supplied as exhibits." Mr. Romano did not respond to the Order to Show Cause; he did not explain why his appeal should not be dismissed for two reasons. Instead, he argued the merits of his case.

Accordingly, his appeal is dismissed.

Dated: March 13, 2026

/s/ Kenneth Bresler
Kenneth Bresler
Administrative Magistrate
DIVISION OF ADMINISTRATIVE LAW APPEALS
14 Summer St., 4th Floor
Malden, MA 02148
781-397-4700
www.mass.gov/dala

Sent to: Robert Romano
James O'Leary, Esq.