**COMMONWEALTH OF MASSACHUSETTS**

**DIVISION OF ADMINISTRATIVE LAW APPEALS**

Nadine Thorndycraft,

Petitioner

v. Docket No. VS-25-0399

Executive Office of Veterans’ Services,

Respondent

**CORRECTED ORDER of DISMISSAL[[1]](#footnote-1)**

On January 24, 2025, the Stoneham Department of Veterans’ Services issued a Notice of Action. On April 8, 2025, the Executive Office of Veterans’ Services (EOVS) held a hearing on Stoneham’s Notice of Action. On May 12, 2025, EOVS partly upheld and partly overturned the Notice of Action.

The last paragraph of EOVS’s Decision and Order read:

Any party wishing to appeal this decision must do so within ten (10) days of the receipt of this signed decision, in writing, to the Division of Administrative Law Appeals, 14 Summer Street, 4th Floor, Malden, MA 02148.

*See* 108 CMR 8 (an aggrieved party may appeal an EOVS decision within 10 days to the Division of Administrative Law Appeals).

On May 21, 2025, Ms. Thorndycraft, through her lawyer, appealed EOVS’s decision to EOVS and the Stoneham Department of Veterans’ Services, but not to DALA.

On June 26, 2025, EOVS emailed Ms. Thorndycraft’s lawyer, asking whether he had appealed EOVS’s decision to DALA.

On June 27, 2025, Ms. Thorndycraft moved to file her appeal to DALA late. On July 1, 2025, EOVS opposed the motion.

A deadline for appealing is a jurisdictional requirement. *Commonwealth v. Claudio*, 96 Mass. App. Ct. 787, 787 (2020). A tribunal lacking jurisdiction has “no authority to enlarge the appeal period.” *Id*. at 792. Ms. Thorndycraft’s appeal to DALA was late. Therefore, DALA has no jurisdiction over the appeal and must dismiss it.

Dated: August 12, 2025 /s/ Kenneth Bresler\_\_\_\_\_\_

Kenneth Bresler

Administrative Magistrate

DIVISION OF ADMINISTRATIVE LAW APPEALS

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Sent to: James Keane, Esq.

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Kevin Welch, VSO

1. DALA’s address corrected. [↑](#footnote-ref-1)