COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss. Division of Administrative Law Appeals

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**ROBIN FERNANDES,** Docket No. CR-17-942

Petitioner

*v.*

**STATE BOARD OF RETIREMENT,**

Respondent

**Representative for Petitioner**:

*Pro se*

66 East Water Street

Taunton, MA 02780

**Attorney for Respondent**:

Melinda E. Troy

State Board of Retirement

One Winter Street

Boston, MA 02108-4747

**Administrative Magistrate**:

Angela McConney Scheepers

**ORDER DENYING PETITIONER’S MOTION FOR RECONSIDERATION**

On June 6, 2018, Robin Fernandes submitted a document to the Division of Administrative Law Appeals (DALA) after the agency had adjudicated her matter on June 1, 2018. I hereby consider that document as a Motion for Reconsideration. 801 C.M.R. 1.01(7)(l).

After careful consideration, Ms. Fernandes’ Motion for Reconsideration is DENIED.

801 C.M.R. 1.01(7)(l) provides for the filing of motions for reconsideration and reads:

After a decision has been rendered and before the expiration of the time for filing a request for review or appeal, a Party may move for reconsideration. The motion must identify a clerical or mechanical error in the decision or a significant factor the Agency or the Presiding Officer may have overlooked in deciding the case. A [Previous Hit](http://sll.gvpi.net/document.php?id=crab:crab17a-15&type=hitlist&num=1#hit6)motion for reconsideration shall be deemed a motion for rehearing in accordance with M.G.L. c. 30A, § 14(1) for the purposes of tolling the time for appeal.

The Petitioner’s motion does not identify a clerical or mechanical error in the decision or a significant factor that was over looked. *See Mary Morse v. State Board of Retirement*, CR-13-491 at 2 (CRAB 12/21/2016). Rather, the Petitioner’s Motion for Reconsideration repeats the argument she made previously, and is identical to her April 11, 2018 Pre-Hearing Memorandum and the subsequent addenda. Ms. Fernandes fails to address the issue of jurisdiction, although the issue was raised in the DALA March 9, 2018 First Pre-Hearing Order and was the subject of the State Board of Retirement’s May 18, 2018 Motion to Dismiss.

Ms. Fernandes’ appeal was dismissed for [Previous Hit](http://sll.gvpi.net/document.php?id=crab:crab15j-41&type=hitlist&num=108#hit12)lack of jurisdiction and her motion for reconsideration is denied.

SO ORDERED.

DIVISION OF ADMINISTRATIVE LAW APPEALS

Angela McConney Scheepers

Administrative Magistrate

DATED: June 8, 2018