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 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 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