

After filing medical records between the filing of her Petition and early November 2017, Petitioner filed her Statement of Completion on November 1, 2017. ECF No. 25. Thereafter, Respondent filed a Rule 4(c) Report on December 18, 2017, contesting Petitioner's right to damages, and suggesting that vaccine compensation be denied. ECF No. 28.

Petitioner was given deadlines to file her expert report, and on July 13, 2018, Petitioner filed the present motion for a decision to dismiss her non-table claim, indicating that she "understands that a decision by the Special Master dismissing her petition will result in a judgment against her" and that she was "advised that such judgment will end all of her rights in the Vaccine Program." *See* Petitioner's Motion to Dismiss, ECF No. 32.

To receive compensation under the Vaccine Program, a petitioner must prove either (1) that she suffered a "Table Injury" – i.e., an injury falling within the Vaccine Injury Table – corresponding to one of her vaccinations, or (2) that she suffered an injury that was actually caused by a vaccine. *See* Sections 13(a)(1)(A) and 11(c)(1). Moreover, under the Vaccine Act, a petitioner may not receive a Vaccine Program award based solely on her claims alone. Rather, the petition must be supported by either medical records or by the opinion of a competent medical expert. Section 13(a)(1). In this case, however, there is insufficient evidence in the record for Petitioner to meet her burden of proof. Petitioner's claim therefore cannot succeed and must be dismissed. Section 11(c)(1)(A).

Thus, this case is dismissed for insufficient proof. The Clerk shall enter judgment accordingly.

IT IS SO ORDERED.

s/ Katherine E. Oler

Katherine E. Oler

Special Master