

After respondent filed his Rule 4(c) Report in this case, petitioner was ordered to file an expert report in support of her claim. *See* Scheduling Order, dated November 21, 2017. After requesting and receiving three Motions for Extension of Time, Petitioner filed a status report on July 2, 2018, indicating she needed to consult with her treating neurologist to inquire as to whether he could support her claim. *See* ECF Nos. 17, 19-21. On September 4, 2018, petitioner’s counsel filed a status report advising the Court that petitioner’s treating neurologist was unable to offer support for her claim. ECF No. 23. Petitioner’s counsel informed the Court that she advised her client that there was nothing more she could do without an expert report and requested thirty days to withdraw petitioner’s claim. *Id.* A Scheduling Order was issued advising petitioner to withdraw her claim within thirty days. Scheduling Order, dated September 5, 2018. On September 19, 2018, petitioner filed a Motion for Dismissal Decision requesting that her case be dismissed. ECF No. 24.

To receive compensation under the Program, petitioner must prove either 1) that she suffered a “Table Injury” – i.e., an injury falling within the Vaccine Injury Table – corresponding to his vaccination, or 2) that she suffered an injury that was actually caused by a vaccine. *See* §§ 13(a)(1)(A) and 11(c)(1). An examination of the record did not uncover any evidence that petitioner suffered a “Table Injury.” Further, the record does not contain persuasive evidence indicating that petitioner’s alleged injury was vaccine-caused or in any way vaccine-related.

Under the Act, petitioner may not be given a Program award based solely on the petitioner’s claims alone. Rather, the petition must be supported by either medical records or by the opinion of a competent physician. § 13(a)(1). In this case, because there are insufficient medical records supporting petitioner’s claim, a medical opinion must be offered in support. Petitioner, however, has offered no such opinion that supports a finding of entitlement.

Accordingly, it is clear from the record in this case that petitioner has failed to demonstrate either that she suffered a “Table Injury” or that her injuries were “actually caused” by a vaccination. **Thus, this case is dismissed for insufficient proof. The Clerk shall enter judgment accordingly.**

IT IS SO ORDERED.

s/ Mindy Michaels Roth
Mindy Michaels Roth
Special Master