

that led to her death as a result of the pneumococcal conjugate vaccination (Prevnar-13) she received on January 11, 2017. Petition at 1, ECF No. 1. Petitioner filed her final statement of completion on August 1, 2018. ECF No. 13.

On March 1, 2019, Respondent filed a Rule 4(c) Report (“Respondent’s Report”). ECF No. 21. Respondent stated that Petitioner had not satisfied her burden of proof, specifically noting that Petitioner failed to offer a medical or scientific theory supporting causation-in-fact. *Id.* at 4. Respondent concluded that “[P]etitioner has not met her burden of proving entitlement to compensation.” *Id.*

Following Respondent’s Report, I held a status conference via telephone with the parties on April 17, 2019 to discuss how Petitioner wanted to proceed. Following the call, Petitioner filed the instant motion to dismiss her claim on April 30, 2019, indicating that “[an] investigation of the facts and science supporting the case of Linda Carl has demonstrated that Petitioner will be unable to prove that the estate is entitled to compensation in the Vaccine Program.” *See* Petitioner’s Motion for a Decision Dismissing her Petition, ECF No. 24.

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, in accordance with her motion, 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