

ECF No. 1. Petitioners filed their amended statement of completion on December 19, 2018. ECF No. 16.

On February 14, 2019, Respondent filed a Rule 4(c) Report (“Respondent’s Report”). ECF No. 17. Respondent stated that Petitioners had not satisfied their burden of proof, specifically noting that Petitioners failed to identify a vaccine-related injury that resulted in R.V.’s death. *Id.* at 7. Respondent concluded that “[P]etitioners have not offered sufficient reliable evidence to establish a causal relationship” and requested that this case be dismissed. *Id.*

Following Respondent’s Report, Petitioners filed the instant motion to dismiss their claim on April 5, 2019, indicating that “[a]n investigation of the facts and science supporting has demonstrated to the Petitioners that they will be unable to prove that they are entitled to compensation in the Vaccine Program.” *See* Petitioners’ Motion for Decision Dismissing their Petition, ECF No. 20.

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 his 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 Petitioners to meet their burden of proof. Petitioners’ claim therefore cannot succeed and, in accordance with their 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