

dismissed and that A.A.'s name be censored from the public record. *Id.* This request will be interpreted as a Motion for a Dismissal Decision. After a dismissal decision is issued, petitioners will have 14 days to file a Motion for Redaction explaining why redaction of A.A.'s initials is warranted, if necessary. Petitioners are advised that the only information that will be publicly available is this dismissal decision.

To receive compensation under the Program, petitioners must prove either 1) that A.A. suffered a "Table Injury" – i.e., an injury falling within the Vaccine Injury Table – corresponding to his vaccination, or 2) that A.A. suffered an injury that was actually caused by a vaccine. *See* §§ 13(a)(1)(A) and 11(c)(1). The petition in this matter may have not been timely filed pursuant to 42 U.S.C. § 300aa-16(a)(1), which requires that petitions be filed within three years of the date of vaccination or the first manifestation of injury. The record indicates A.A. received the allegedly causal vaccination on April 8, 2016 but the petition was not formally filed until April 22, 2019 – approximately 14 days out of time. Given the vague nature of A.A.'s alleged injuries, it is unclear as to when onset of these injuries began. Absent clear evidence of onset, petitioners' statute of limitations deadline is based on the date of vaccination. Further, an examination of the record did not uncover any evidence that petitioner suffered a "Table Injury." The record also does not contain persuasive evidence indicating that petitioner's alleged injury was vaccine-caused or in any way vaccine-related.

Under the Act, petitioners may not be given a Program award based solely on the petitioners' 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. Petitioners, however, have offered no such opinion that supports a finding of entitlement.

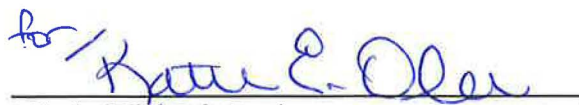
Accordingly, it is unclear from the record, but it appears that the petition was not timely filed pursuant to 42 U.S.C. § 300aa-16(a)(1). Additionally, petitioners have failed to demonstrate either that A.A. suffered a "Table Injury" or that A.A.'s injuries were "actually caused" by a vaccination. **Thus, this case is dismissed for insufficient proof and failure to file a claim within the statutorily prescribed timeframe. The Clerk shall enter judgment accordingly.**

The Clerk's Office is directed to send this decision to petitioners at the following address via certified and regular mail.



IT IS SO ORDERED.

DATE: 10/1/2019


Mindy Michaels Roth
Special Master