

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

JEFFREY HODDICK,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

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No. 20-1028V
Special Master Christian J.
Moran

Filed: June 4, 2021

ORDER CONCLUDING PROCEEDINGS

Jeffrey Hoddick alleged that the Gardasil vaccine he received on July 12, 2017 caused him to develop autonomic dysfunction and chronic fatigue syndrome. Pet., filed Aug 17, 2020, at Preamble; ¶ 8. On May 13, 2021, Mr. Hoddick gave notice to withdraw his petition and requested an order concluding proceedings.

I. Procedural History

Jeffrey Hoddick (“petitioner”) filed a petition on August 17, 2020. After petitioner filed his initial medical records and the statutory 240-day time period for the special master’s issuance of a decision in this case, petitioner filed a notice of intent to withdraw his petition.

This matter is now ready for adjudication.

II. Analysis

To receive compensation under the National Vaccine Injury Compensation Program (hereinafter “the Program”), a petitioner must prove either 1) that the vaccinee suffered a “Table Injury” – i.e., an injury falling within the Vaccine Injury Table – corresponding to one of the vaccinations, or 2) that the vaccinee suffered an injury that was actually caused by a vaccine. See §§ 300aa-13(a)(1)(A)

and 300aa-11(c)(1). Under the Act, a 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. § 300aa-13(a)(1).

In this case, the petitioner filed some medical records in support of his claim, but nonetheless, wishes to have his petition withdrawn. Petitioner filed his notice of intent to withdraw pursuant to 42 U.S.C. § 300aa—21(b) (regarding involuntary dismissal), protecting his right to file a civil action in the future. See Pet'rs' Mot., filed May 13, 2021.

Thus, Mr. Hoddick's petition is WITHDRAWN. This order will be deemed a judgement for purposes of 42 U.S.C. § 300aa—15(e)(1). The Clerk shall enter judgment accordingly.

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master