

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: November 12, 2025

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JAMES E. PERRY,

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No. 21-1530V

Petitioner,

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v.

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Special Master Gowen

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SECRETARY OF HEALTH
AND HUMAN SERVICES,

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Respondent.

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John L. Shipley, John L. Shipley Attorney, Davis, CA, for petitioner.

Nina Ren, U.S. Dept. of Justice, Washington, D.C., for respondent.

ORDER CONCLUDING PROCEEDING¹

On July 1, 2021, James E. Perry (“petitioner”), filed his claim in the National Vaccine Injury Compensation Program.² Petition (ECF No. 1). Petitioner alleges that as a result of receiving the tetanus-diphtheria acellular pertussis (“Tdap”) vaccine on June 8, 2018, he developed Guillain-Barre Syndrome (“GBS”). *Id.*

On November 12, 2025, petitioner filed a motion for a voluntarily dismissal pursuant to Rule 21(a). Petitioner’s Motion (ECF No. 39).

¹ Pursuant to the E-Government Act of 2002, *see* 44 U.S.C. § 3501 note (2012), because this decision contains a reasoned explanation for the action in this case, I am required to post it to a publicly available website. This decision will appear at <https://www.govinfo.gov/app/collection/uscourts/national/cofc> or on the Court of Federal Claims website. **This means the decision will be available to anyone with access to the Internet.** Before the decision is posted on the court’s website, each party has 14 days to file a motion requesting redaction “of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). “An objecting party must provide the court with a proposed redacted version of the decision.” *Id.* **If neither party files a motion for redaction within 14 days, the decision will be posted on the court’s website without any changes.** *Id.*

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-1 to -34 (2012) (Vaccine Act or the Act). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C.A. § 300aa.

Under Vaccine Rule 21(a)(1)(A) provides that a petitioner may dismiss a petition at any time prior to the filing of respondent's Rule 4(c) report. In this case, petitioner's motion is filed prior to respondent serving the Rule 4(c) Report.

Under Rule 21(a)(3), the result of this voluntary dismissal is an Order Concluding Proceedings. No judgment will enter pursuant to Vaccine Rule 11 for the purposes of 42 U.S.C. § 300aa-21(a).

Therefore, petitioner's motion is hereby **GRANTED**, and this petition is dismissed. The clerk of the court is directed to remove this case from the docket of the undersigned.

IT IS SO ORDERED.

s/Thomas L. Gowen

Thomas L. Gowen

Special Master