In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS
No. 23-420V

CORTNEY BALL, *also known as* COURTNEY LESTER, Petitioner, v. SECRETARY OF HEALTH AND HUMAN SERVICES Respondent.	Chief Special Master Corcoran Filed: December 4, 2024

ORDER CONCLUDING PROCEEDINGS

On March 27, 2023, Cortney Ball filed a petition for compensation under the National Vaccine Injury Compensation Program.[1] Petitioner alleged that she suffered Guillain Barré syndrome, Acute Inflammatory Demyelinating Polyneuropathy, and anxiety after receiving the Tetanus, Diphtheria and Acellular Pertussis vaccine on March 24, 2020. Petition (ECF No. 1) at 1. After the claim's activation in 2024, a deadline was set for Respondent to file his Rule 4(c) Report by January 3, 2025. However, on November 26, 2024, Petitioner filed a Motion for a Decision Dismissing Petition. *See* Motion, dated Nov. 26, 2024 (ECF No. 39).

Petitioner has characterized her dismissal request as arising under Vaccine Rule 21(b). *See* ECF No. 39 (docket entry title). But because Respondent has not filed his Rule 4(c) Report, the motion is properly treated as one seeking voluntary dismissal under Rule 21(a)(1)(A), and I do so.

Accordingly, this case is dismissed without prejudice. **This Order hereby notifies the Clerk of the Court that proceedings "on the merits" of this Petition are now concluded, but no judgment "on the merits" pursuant to Vaccine Rule 11 for purposes of Section 21(a) of the Act shall issue**.

[1] The Vaccine Program comprises Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755 (codified as amended at 42 U.S.C. §§ 300aa-10–34 (2012)) (hereinafter "Vaccine Act" or "the Act"). All subsequent references to sections of the Vaccine Act shall be to the pertinent subparagraph of 42 U.S.C. § 300aa.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

IT IS SO ORDERED.

/s/ Brian H. Corcoran
Brian H. Corcoran
Chief Special Master