

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 24-994V

EBONY PERSON,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Filed: January 8, 2026

Leslie Cooper Harrell, Mullins, Duncan, et al., Greensboro, NC, for Petitioner

Debra A. Filteau Begley, U.S. Department of Justice, Washington, DC, for Respondent.

ORDER CONCLUDING PROCEEDINGS¹

On June 27, 2024, Ebony Person filed a petition for compensation under the National Vaccine Injury Compensation Program (the “Vaccine Program”).² Petition, dated June 27, 2024 (ECF No. 1) (“Pet.”) at 1.

On February 24, 2025, a 240-day Formal Notice was issued requesting that Petitioner give notice as to whether she wished to withdraw from or remain in the Vaccine Program. Notice, dated Feb. 24, 2025 (ECF No. 11). After consultation with counsel, Petitioner elected to withdraw her Petition, and requested an order concluding proceedings pursuant to Section 21(b). Notice to Withdraw Petition, dated Mar. 26, 2025 (ECF No. 12). Respondent did not file anything in reaction.

Although Petitioner seems to invoke Vaccine Rule 21(b)(1) (which permits claimants to request a decision dismissing a petition), I find the Notice is more appropriately addressed under Rule 21(a)(1)(A)—a request for voluntary dismissal—since the matter was sought to be concluded well before a Rule 4(c)

¹ Under Vaccine Rule 18(b), each party has fourteen (14) days within which to request 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). Otherwise, the whole Order will be available to the public in its present form. *Id.*

² The Vaccine Program comprises Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3758, codified as amended at 42 U.S.C. §§ 300aa-10 through 34 (2012) [hereinafter “Vaccine Act” or “the Act”]. Individual section references hereafter will be to § 300aa of the Act (but will omit that statutory prefix).

Report had been filed (and indeed before hardly anything had happened in the case). The result of such voluntary dismissal is an order concluding proceedings, where no judgment shall be entered. Rule 21(a)(3).

Thus, this matter is ordered concluded. The Clerk of Court is instructed that **judgment shall not enter** in the instant case pursuant to Vaccine Rule 21(a)(3), and is directed to remove this case from my docket.

IT IS SO ORDERED.

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