

IN THE MATTER OF:  
TERRY RANDALL - APPLICANT/APPELLANT  
3148 BAYBRIAR ROAD  
BALTIMORE, MD 21222

\* BEFORE THE  
\* BOARD OF APPEALS  
\* OF BALTIMORE COUNTY  
\* Case No.: CBA-11-013

RE: Appeal of Employee Retirement System  
decision denying Membership Application

\* \* \* \* \*

**ORDER OF DISMISSAL**

This matter having come before this Board on appeal dated January 2, 2011 from a decision of the Director of the Office of Budget and Finance, dated December 14, 2010, wherein the Medical Board determined that Ms. Randall is "not capable of performing the duties of Bus Driver, [therefore] the Board of Trustees...denied [her] Membership Application for the Employee's Retirement System."

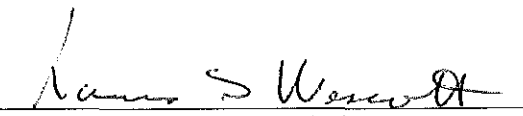
**WHEREAS**, the Board issued a Remand Order dated March 25, 2011, after they convened for a hearing on this matter on March 10, 2011, and learned that Appellant is no longer in the position of Bus Driver and is now in the position of Building Service Worker.

**WHEREAS**, by letter dated August 4, 2011, the Board notified the Appellant that the above-entitled matter would be dismissed for lack of prosecution after a period of 30 days; (a copy of which is attached hereto and made a part hereof); and

**WHEREAS**, there has been no request made for hearing in this matter, nor objection made to said dismissal;

**IT IS THEREFORE ORDERED**, this 21<sup>st</sup> day of October, 2011 by the Board of Appeals for Baltimore County that the above-referenced appeal in Case No.: CBA-11-013, be and is hereby **DISMISSED FOR LACK OF PROSECUTION**.

**BOARD OF APPEALS  
OF BALTIMORE COUNTY**

  
Lawrence S. Wescott, Chairman



## Board of Appeals of Baltimore County

JEFFERSON BUILDING  
SECOND FLOOR, SUITE 203  
105 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND, 21204  
410-887-3180  
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August 4, 2011

Terry Randall  
3148 Baybriar Road  
Baltimore, MD 21222

*RE:* Terry Randall –Applicant /Appellant  
3148 Baybriar Road, Baltimore, MD 21222  
Case No.: CBA-11-013

Dear Ms. Randall:

A review of the subject file indicates that on March 25, 2011 this matter was remanded to the Board of Trustees (ERS) for further consideration. It is my understanding that this matter has been presented and completed at that level. The matter has remained inactive on the Board's docket since the joint remand request and Order dated March 25, 2011 was issued. This office believes that the appeal in case number CBA-11-013 is now moot and should be removed from Board's docket. This office is requesting that you notify this office in writing that you are withdrawing your appeal in case no.: CBA-11-013, so it can be closed and deleted from the Board's open docket.

Pursuant to the above intent regarding inactive cases, the purpose of this letter is to advise you that an Order of Dismissal for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

A handwritten signature in cursive script that reads "Theresa R. Shelton".

Theresa R. Shelton  
Administrator

c: Suzanne Berger, Assistant County Attorney  
Kimberly Vazquez, Retirement Benefits Administrator  
Michael Field, County Attorney  
Dr. Joe Hairston, Superintendent, Board of Education