

to one of his vaccinations, or 2) that he suffered an injury that was actually caused by a vaccine. *See* 42 U.S.C. §§ 300aa-13(a)(1)(A) and 300aa-11(c)(1). In my examination of the filed medical records, however, I did not find in the record any evidence that petitioner suffered a “Table Injury.” Further, the records do not contain a medical expert’s opinion or any other evidence indicating that petitioner’s condition was vaccine-caused. No physician expressed such an opinion in the records that I reviewed, and the petitioner has not pointed to any place in the records where any physician stated such an opinion.

In the Motion filed on September 9, 2011, petitioner requested that I rule upon the record as it now stands. Accordingly, I will now rule upon the record.

I am, of course, sympathetic to the fact that Gilbert Johnson suffers from a very unfortunate medical condition. However, under the law I can authorize compensation only if a medical condition or injury either falls within one of the “Table Injury” categories, or is shown by medical records or competent medical opinion to be vaccine-caused. No such proof exists in the record before me. Accordingly, it is clear from the record in this case that the petitioner has not demonstrated either that he suffered a “Table Injury” or that his condition was “actually caused” by a vaccination. Therefore, I have no choice but to hereby DENY this claim. In the absence of a timely-filed motion for review of this decision (see Appendix B to the Rules of the Court), the Clerk shall enter judgment in accord with this decision.

/s/ George L. Hastings, Jr.

George L. Hastings, Jr.
Special Master