

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 03-0858V

Filed: November 2, 2011

Not to be published

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Jacob Lee, a minor, by his parent  
and natural guardian, AMANDA LEE,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES

Respondent.

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Autism; Petitioner’s Motion for a Decision  
Dismissing the Petition; Insufficient Proof  
of Causation; Vaccine Act Entitlement;  
Denial Without Hearing

**DECISION<sup>1</sup>**

On April 28, 2003, petitioner filed a Petition for Vaccine Compensation in the National Vaccine Injury Compensation Program (“the Program”),<sup>2</sup> alleging that Jacob was injured by a vaccine or vaccines listed in the Vaccine Injury Table. See § 14. The information in the record, however, does not show entitlement to an award under the Program.

On October 25, 2011, petitioner filed a document seeking a decision dismissing her petition. Petitioner asserts in that document that under the current applicable law, petitioner will be unable to demonstrate entitlement to compensation in the Program. Accordingly, petitioner requests that the undersigned dismiss the above-captioned petition.

<sup>1</sup> Because this unpublished decision contains a reasoned explanation for the action in this case, I intend to post this decision on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). In accordance with Vaccine Rule 18(b), a party has 14 days to identify and move to delete medical or other information, that satisfies the criteria in § 300aa-12(d)(4)(B). Further, consistent with the rule requirement, a motion for redaction must include a proposed redacted decision. If, upon review, I agree that the identified material fits within the requirements of that provision, I will delete such material from public access.

<sup>2</sup>The Program comprises 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-10 *et seq.* (hereinafter “Vaccine Act” or “the Act”). Hereafter, individual section references will be to 42 U.S.C. § 300aa of the Act.

