

would result in dismissal of her case. I gave petitioner until April 9, 2012, to file her statement.

On April 16, 2012, I issued an order to show cause, which noted the missed deadlines for filing both petitioner's causation statement and the missing medical records. Petitioner was ordered to comply with my prior orders, or otherwise show cause for why this case should not be dismissed for failure to prosecute, by no later than May 16, 2012. My order indicated that a failure to respond to the order would result in this case being dismissed. To date, nothing has been received from petitioner.

I. Failure to Prosecute

It is petitioner's duty to respond to court orders. As I reminded petitioner in both my March 29, 2012 and April 16, 2012 orders, failure to follow court orders, as well as failure to file medical records or an expert medical opinion, shall result in dismissal of petitioner's claim. *Tsekouras v. Sec'y, HHS*, 26 Cl. Ct. 439 (1992), *aff'd per curiam*, 991 F.2d 810 (Fed. Cir. 1993); *Sapharas v. Sec'y, HHS*, 35 Fed. Cl. 503 (1996); Vaccine Rule 21(b).

II. Causation In Fact

To receive compensation under the Program, petitioner must prove either 1) that Jon suffered a "Table Injury" – i.e., an injury falling within the Vaccine Injury Table – corresponding to one of Jon's vaccinations, or 2) that Jon suffered an injury that was actually caused by a vaccine. See §§13(a)(1)(A) and 11(c)(1). Under the Vaccine Act, a special master cannot find that petitioner has proven her case by a preponderance of the evidence based upon "the claims of petitioners alone, unsubstantiated by medical records or by medical opinion." § 13(a).

Petitioner has failed to file sufficient medical records and evidence in this case. Thus, an examination of the record did not uncover any evidence that Jon suffered a "Table Injury." Further, the record does not contain a medical opinion or any other persuasive evidence indicating that Jon's autism spectrum disorder was vaccine-caused.

Accordingly, it is clear from the record in this case that petitioner has failed to demonstrate either that Jon suffered a "Table Injury" or that Jon's injuries were "actually caused" by a vaccination. **This case is dismissed for insufficient proof and for failure to prosecute. The clerk shall enter judgment accordingly.**

IT IS SO ORDERED.

Denise K. Vowell
Special Master