

**OFFICE OF SPECIAL MASTERS**

No. 03-2812V

Filed: July 22, 2005

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LUKE GOLLIHER, \*  
a minor, by and through his Natural \*  
Guardian, STEVE GOLLIHER, \*

Petitioner, \*

v. \*

SECRETARY OF THE DEPARTMENT \*  
OF HEALTH AND HUMAN SERVICES, \*

Respondent. \*

\*\*\*\*\*

**DECISION**\*

On July 18, 2005, petitioner’s counsel contacted the court via telephone, with respondent’s counsel on the line, and requested that the court issue a decision in this case based on the existing record. Accordingly, the undersigned has reviewed the entire record. Section 300aa-13(a) provides that the special master “may not make a finding based on the claims of a petitioner alone, unsubstantiated by medical records or by medical opinion.” A review of this record shows and the undersigned so finds that the medical records do not substantiate petitioner’s claim and petitioner failed to provide a supportive expert opinion. Accordingly, petitioner has failed to establish a prima facie case. Thus, the court must dismiss this case for want of proof. The Clerk shall enter judgment accordingly.

**IT IS SO ORDERED.**

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Gary J. Golkiewicz  
Chief Special Master

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\* Because this decision contains a reasoned explanation for the undersigned’s action in this case, the undersigned intends to post this decision on the United States Court of Federal Claims’s website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction “of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). Otherwise, “the entire” decision will be available to the public. Id.