

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 10-474V

Filed: January 26, 2011

Unpublished

BEI YE and FENG LIANG, as Parents and Natural *
Guardians of EDWARD LIANG, an infant, *

Petitioners, *

v. *

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

Respondent. *

Motion for Dismissal Decision;
Hepatitis B vaccine; Vaccine-
induced encephalitis

DECISION¹

On January 26, 2011, petitioners filed a Motion for a Decision Dismissing Their Petition. P Motion for Dismissal Decision, filed January 26, 2011 (“P Motion”). Respondent was contacted on the same day and does not object to petitioners’ Motion. Petitioners stated, “they will be unable to prove entitlement to compensation in the Vaccine Program.” P Motion at ¶ 1.

This Petition was filed on July 23, 2010, alleging petitioners’ son suffered from vaccine induced encephalitis as a result of a Hepatitis B vaccination he received on August 1, 2007. Petition at 1. As conceded by petitioners, the Petition remains unsupported by either medical records or medical opinion regarding vaccine causation. Accordingly, petitioner’s unopposed Motion for a Decision Dismissing this Petition is **GRANTED**.

The Clerk of the Court is directed to enter judgment accordingly.

IT IS SO ORDERED.²

¹ The undersigned intends to post this decision on the website for the United States Court of Federal Claims, 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 a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or 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. Any motion for redaction must be filed by no later than fourteen (14) days after filing date of this filing. Further, consistent with the rule requirement, a motion for redaction must include a proposed redacted decision, order, ruling, etc.**

² This document constitutes a final “decision” in this case pursuant to 42 U.S.C. § 300aa-12(d)(3)(A). Unless a motion for review of this decision is filed within 30 days, the Clerk of the Court shall enter judgment in accord with this decision. Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.

s/ Gary J. Golkiewicz
Gary J. Golkiewicz
Special Master