OFFICE OF SPECIAL MASTERS No. 05-229V

Filed: May 19, 2005

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Daniel Nestlen, a minor,	*	
by his parents	*	
MATT NESTLEN and KELLY NESTLEN,	*	
	*	
	*	
	*	
Petitioners,	*	Unpublished
	*	Posted ¹
V.	*	
	*	
SECRETARY OF HEALTH AND	*	
HUMAN SERVICES	*	
	*	
Respondent.	*	
	*	
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DECISION²

This is an action seeking compensation under the National Vaccine Injury Compensation Program (see 42 U.S.C. § 300aa-10 *et seq.*), in which it is claimed that the minor child suffers from Autism Spectrum Disorder caused by a series of vaccinations. The petition itself, however, acknowledges that the petition was not timely filed under 42 U.S.C. § 300aa-

¹ Because this document contains a reasoned explanation for my action in this case, I intend to post this order 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). Therefore, 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, this entire document will be available to the public. *Id*.

²This document constitutes my 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 this Court shall enter judgment in accord with this decision.

16(a)(2), because the filing did not take place	within 36 months after the first symptom of the
disorder. Therefore, I hereby DISMISS the pe	etition pursuant to 42 U.S.C. § 300aa-16(a)(2)
because it was not timely filed.	
	George L. Hastings, Jr.
	Special Master