

**Department of Health and Human Services
DEPARTMENTAL APPEALS BOARD
Appellate Division**

James W. Marshall, Jr., D.O.
Docket No. A-17-58
Decision No. 2796
June 16, 2017

**DETERMINATION TO DECLINE REVIEW OF
ADMINISTRATIVE LAW JUDGE DECISION**

After reviewing the record to evaluate the issues presented by James W. Marshall, Jr., D.O.'s exceptions to *James W. Marshall, D.O.*, ALJ Ruling No. 2017-9 (2017), we have determined that we need not render a separate decision. We therefore decline review of and summarily affirm ALJ Ruling No. 2017-9. Thus, that decision by the ALJ becomes final and binding 60 days from the date of service of this determination to decline review. *See* 42 C.F.R. § 1005.21(j).

Judicial review is available in an appropriate United States district court if a civil action is filed within 60 days after service of this determination to decline review. *See* sections 1128(f)(1) and 205(g) of the Social Security Act and 42 C.F.R. § 1005.21(k)(1).

_____/s/
Constance B. Tobias

_____/s/
Susan S. Yim

_____/s/
Christopher S. Randolph
Presiding Board Member