



## **DEPARTMENT OF HEALTH & HUMAN SERVICES**

Departmental Appeals Board Appellate Division, MS 6127 Room G-644, Cohen Building 330 Independence Avenue, SW Washington, D.C. 20201

CERTIFIED MAIL -- RETURN RECEIPT REQUESTED

Lurese A. Terrell, Esq. Kennedy, Attorneys & Counselors at Law 12225 Greenville Avenue, Suite 700 Dallas, Texas 75243

and

INTER-OFFICE MAIL - RETURN RECEIPT REQUESTED

Andrea L. Treese Berlin, Senior Counsel Office of Inspector General Office of Counsel to the Inspector General Cohen Building - Room 5527 330 Independence Avenue, S.W. Washington, D.C. 20201

Re: Charles J. Anselmo v. Inspector General DAB CR1979 App. Div. Docket No. A-09-118 Decision No. 2277 Date: October 1, 2009

## DETERMINATION TO DECLINE REVIEW

## Counsel:

After reviewing the record to evaluate the issues presented by the exceptions, we have determined that we need not render a separate decision. We therefore decline review of and summarily affirm the administrative law judge's decision identified above.

Thus, the administrative law judge's decision becomes final and binding 60 days from the date of service of this letter. <u>See</u> 42 C.F.R. § 1005.21(j). The date of service will be deemed to be 5 days from the date of mailing.

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

\_\_\_\_\_/s/ Judith A. Ballard

/s/ Constance B. Tobias

/s/
Sheila Ann Hegy
Presiding Board Member

cc: Civil Remedies Division

Robert K. DeConti, OCIG Robin Schneider, OCIG Susan Earp, OCIG