

**United States Small Business Administration
Office of Hearings and Appeals**

VSBC Appeal of:

Vetted Medical Supply LLC,

Appellant

SBA No. VSBC-300-A

Decided: August 17, 2023

ORDER DISMISSING APPEAL¹

On July 21, 2023, Vetted Medical Supply LLC (Appellant) transmitted an e-mail to the U.S. Small Business Administration (SBA) Office of Hearings and Appeals (OHA), purporting to challenge the denial of its application for certification as a Service-Disabled Veteran-Owned Small Business (SDVOSB).

Because the e-mail did not meet OHA's requirements for a proper appeal, OHA ordered that Appellant “send OHA a signed appeal petition, no later than August 4, 2023”, and that Appellant “serve copies of the entire appeal petition, including any attachments” upon all required parties, also by August 4, 2023. (Order at 1.) OHA warned that “[f]ailure to comply with these instructions will result in dismissal of the appeal.” (*Id.*, citing 13 C.F.R. § 134.219.) Appellant did not respond to OHA's order, and the deadline to do so has lapsed.

Pursuant to OHA's rules of procedure, a deficient appeal may be summarily dismissed. 13 C.F.R. § 134.1105(d); *VSBC Appeal of Freedom Flawless Cleaning*, SBA No. VSBC-280-A (2023); *VSBC Appeal of SHADOWSCAPE INC*, SBA No. VSBC-266-A (2023). Furthermore, noncompliance with an OHA order may, by itself, be grounds for dismissal. 13 C.F.R. § 134.219; *VSBC Appeal of Keystone Maint. Servs. Corp.*, SBA No. VSBC-293-A (2023). Here, as discussed above, Appellant's appeal petition was deficient, and Appellant did not avail itself of the opportunity to cure those defects. *See, e.g., VSBC Appeal of Walbro Academy LLC*, SBA No. VSBC-274-A (2023) (dismissing appeal due to deficient appeal petition which remained uncorrected despite an OHA order).

Accordingly, the appeal is DISMISSED. This is the final decision of the U.S. Small Business Administration. 15 U.S.C. § 657f(f)(6)(A); 13 C.F.R. § 134.1112(d).

KENNETH M. HYDE
Administrative Judge

¹ This appeal is decided under the Small Business Act of 1958, 15 U.S.C. §§ 631 *et seq.*, and 13 C.F.R. parts 128 and 134 subpart K.