

6567ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -)
)
American Tattoo Society LLC) ASBCA No. 64095
)
Under Contract No. CONUS 20-10937)

APPEARANCE FOR THE APPELLANT: Ms. Nicole Norton
Owner
Fayetteville, NC

APPEARANCES FOR THE GOVERNMENT: Dana J. Chase, Esq.
Army Chief Trial Attorney
LTC Nolan T. Koon, JA
MAJ Katharine M. Calderon, JA
Trial Attorneys

ORDER OF DISMISSAL FOR FAILURE TO PROSECUTE

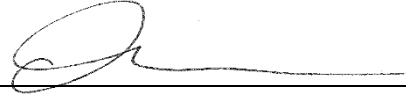
By Order dated April 9, 2025, the Board notified appellant that it had failed to file its complaint within the time specified in Board Rule 6(a). Accordingly, the Board directed appellant to file its complaint within 21 days from the date of that Order or advise how much more time was needed and why. The Order also advised appellant that it must notify the Board if it wished its notice of appeal to serve as its complaint. Appellant failed to provide its complaint or respond to the Board's Order.

On May 5, 2025, the government filed a motion to dismiss this appeal for failure to prosecute pursuant to Board Rule 17. In its motion, the government asserted that appellant had failed to file its complaint or respond to the Board's April 9, 2025 Order and thus the appeal must be dismissed due to appellant's failure to defend its appeal before the Board.

On May 6, 2025, the Board issued an Order to Show Cause, directing appellant to either file its complaint or show cause why the appeal should not be dismissed for lack of prosecution within 21 days of the date of the Order. Appellant was also advised that failure to comply with the Board's Order could result in the Board dismissing the appeal for failure to prosecute. To date, the Board has received no response from appellant.

Accordingly, this appeal is dismissed with prejudice under Board Rule 17 for failure to prosecute.

Dated: June 20, 2025



OWEN C. WILSON
Administrative Judge
Acting Chairman
Armed Services Board
of Contract Appeals

I concur

I concur



ARTHUR M. TAYLOR
Administrative Judge
Armed Services Board
of Contract Appeals



MICHAEL N. O'CONNELL
Administrative Judge
Vice Chairman
Armed Services Board
of Contract Appeals

I certify that the foregoing is a true copy of the Order of Dismissal of the Armed Services Board of Contract Appeals in ASBCA No. 64095, Appeal of American Tattoo Society LLC, rendered in conformance with the Board's Charter.

Dated: June 20, 2025



PAULLA K. GATES-LEWIS
Recorder, Armed Services
Board of Contract Appeals