



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED: December 14, 2007

CBCA 995

TITUS, LLC,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Otis Miller, President of Titus, LLC, Washington, DC, appearing for Appellant.

Thomas Y. Hawkins, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

SOMERS, Board Judge.

Appellant Titus LLC filed its Notice of Appeal on December 10, 2007. On December 13, 2007, counsel for the General Services Administration filed a request asking the Board to issue an Order to Show Cause why the appeal should not be dismissed for lack of jurisdiction. The Board scheduled a status conference to discuss the matter with the parties on December 14, 2007.

At the status conference, appellant, a subcontractor to Total Contracting Corporation under Contract No. GS-11P06YTC-0292 confirmed that it did not have a claim against the General Services Administration, but instead is seeking payment due from the prime contractor. The prime contractor has not filed this claim on behalf of the appellant and no final decision has been issued from a GSA contracting officer from which an appeal may be taken. As we discussed during the status conference, the Board does not possess jurisdiction to entertain Appellant's claim. Accordingly, Appellant agreed to dismiss the appeal and will seek other remedies as appropriate.

Accordingly, this appeal is **DISMISSED**.

Jeri Kaylene Somers
Board Judge