

January 7, 1998

Dear :

By letter dated December 23, 1997, sent by regular and certified mail, the Bureau of Controversies and Disputes informed petitioner in the matter entitled, *Joel Davion v. Ethel Williams Davion*, Agency Dkt. No. 449-11/97, that this matter could be dismissed if specified defects in the Petition of Appeal were not corrected within a prescribed time period.

Although petitioner did provide verification of said petition, pursuant to *N.J.A.C. 6:24-1.2* and 1.3, as requested by this office, he has failed to demonstrate proof of service upon respondent.

Moreover, upon review of the papers, I do not find the petition to present any cause of action arising under the school laws and, therefore, justiciable before me pursuant to *N.J.S.A. 18A:6-9*. Nor does petitioner appear to seek any relief which I can grant.

Accordingly, I have determined to dismiss the matter pursuant to my authority under *N.J.A.C. 6:24-1.9*. An appeal of this decision may be taken to the State Board of Education pursuant to *N.J.A.C. 6:2-1.1 et seq.*

Sincerely

Leo Klagholz  
Commissioner

c: County Superintendent  
E.W.D.