

#265-10

R.H., on behalf of minor children, A.B. and M.B.,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
BOARD OF EDUCATION OF THE STATE OPERATED SCHOOL DISTRICT OF NEWARK, ESSEX COUNTY,	:	DECISION
	:	
	:	
RESPONDENT.	:	

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SYNOPSIS

Petitioner filed a *pro se* residency appeal on behalf of her children in October 2009. The respondent filed an answer and requested that the petition be dismissed. Petitioner received appropriate notice of a hearing on July 12, 2010, but failed to appear and provided no explanation for her nonappearance. Having received no explanation from the petitioner for her non-appearance, the OAL returned the file to the Commissioner.

There being no explanation filed, the Commissioner dismissed the petition with prejudice.

This synopsis is not part of the Commissioner's decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.
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August 11, 2010

OAL DKT. NO. EDU 13096-09  
AGENCY DKT. NO. 284-10/09

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The record of this matter – which includes the advisement of the failure to appear transmitted by the Office of Administrative Law (OAL) pursuant to *N.J.A.C.* 1:1-14.4 – and the notification sent to the parties by the OAL on July 14, 2010, providing an opportunity to submit an explanation for such nonappearance, has been reviewed. There was no explanation filed by petitioner, notwithstanding the opportunity to do so. Accordingly, this matter is no longer deemed to be a contested case before the Commissioner and is hereby dismissed with prejudice.\*

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

Date of Decision: August 11, 2010  
Date of Mailing: August 11, 2010

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\* This decision may be appealed to the State Board of Education pursuant to *N.J.S.A.* 18A:6-27 *et seq.* and *N.J.A.C.* 6:4-1.1 *et seq.*