

#232-11

K.M., on behalf of minor children, D.M., D.M. AND D.M.,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
BOARD OF EDUCATION OF THE BUENA REGIONAL SCHOOL DISTRICT, ATLANTIC COUNTY,	:	DECISION
	:	
RESPONDENT.	:	
_____	:	

SYNOPSIS

Petitioner filed a *pro se* residency appeal on behalf of her children in April 2010. The respondent filed an answer and requested that the petition be dismissed. Petitioner received appropriate notice of a hearing on August 26, 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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June 24, 2011

OAL DKT. NO. EDU 4422-10  
AGENCY DKT. NO. 70-4/10

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PETITIONER,	:	
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BOARD OF EDUCATION OF THE BUENA REGIONAL SCHOOL DISTRICT, ATLANTIC COUNTY,	:	DECISION
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_____	:	

The record of this matter and advisement of failure to appear transmitted to the Commissioner by the Office of Administrative Law (OAL) pursuant to *N.J.A.C.* 1:1-14.4 – along with copies of the notification sent to the parties by the OAL on May 9, 2011, providing petitioner thirteen days to submit an explanation for such nonappearance – have been reviewed. There being no explanation filed, this matter is no longer deemed to be a contested matter before the Commissioner and is hereby dismissed with prejudice.<sup>1</sup>

IT IS SO ORDERED.<sup>2</sup>

ACTING COMMISSIONER OF EDUCATION

Date of Decision: June 24, 2011

Date of Mailing: June 24, 2011

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<sup>1</sup> It is noted that, by letter dated April 18, 2011 to the Administrative Law Judge, the Board withdrew its counterclaim for tuition in this residency matter.

<sup>2</sup> This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L.* 2008, *c.* 36 (*N.J.S.A.* 18A:6-9.1).