

A.B., on behalf of minor child, B.N.W., :
 :
 PETITIONER, :
 :
 V. : COMMISSIONER OF EDUCATION
 :
 BOARD OF EDUCATION OF THE : DECISION
 CITY OF ORANGE, ESSEX COUNTY, :
 :
 RESPONDENT. :

SYNOPSIS

Petitioner filed a *pro se* residency appeal on behalf of her daughter in May 2011. A hearing at the Office of Administrative Law (OAL) was scheduled for August 31, 2011, but petitioner failed to appear despite having received appropriate notice and provided no explanation for her nonappearance. No counterclaim was filed by the respondent Board.

The ALJ issued an Initial Decision which concluded that the petitioner has abandoned the matter, and returned the record of the matter to the Commissioner.

There being no explanation filed for petitioner's nonappearance, 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.

October 17, 2011

OAL DKT. NO. EDU 06921-11
AGENCY DKT. NO. 121-5/11

A.B., on behalf of minor child, B.N.W.,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
BOARD OF EDUCATION OF THE	:	DECISION
CITY OF ORANGE, ESSEX COUNTY,	:	
	:	
RESPONDENT.	:	

The record of this matter – transmitted to the Commissioner by the Office of Administrative Law (OAL) pursuant to *N.J.A.C. 1:1-14.4* and including an advisement of petitioner’s failure to appear at the scheduled August 31, 2011 OAL hearing – has been reviewed. Petitioner filed no explanation for her failure to appear, 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.

ACTING COMMISSIONER OF EDUCATION

Date of Decision: October 17, 2011

Date of Mailing: October 18, 2011

* 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)*.