



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**DECISION**

**DISMISSAL-FAILURE TO APPEAR**

OAL DKT. NO. EDS 04649-19

AGENCY DKT. NO. 2019-29499

**L.G. AND M.R. ON BEHALF OF M.C.,**

Petitioners,

v.

**GLOUCESTER CITY**

**BOARD OF EDUCATION,**

Respondent.

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**No appearance by or on behalf of petitioners**

**Victoria Beck, Esq.,** for respondent (Parker McCay, P.A., attorneys)

Record Closed: April 12, 2019

Decided: April 18, 2019

BEFORE **JOHN R. FUTEY, ALJ** (Ret. on recall)

This case, which arises under the Individuals with Disabilities Education Act, 20 U.S.C. §§1401 to 1484(a) and C.F.R. §§300.500, was transmitted to the Office of Administrative Law (OAL) for hearing on April 11, 2019.

On the day of the hearing, the petitioner did not appear. After waiting a requisite period of time and with no notification or appearance by petitioners, a motion for Failure to Appear was made by Ms. Beck.


As of the date of this Decision, the petitioners have not explained their non-appearance. Accordingly, the petition must be **DISMISSED** for failure to pursue a claim of action under N.J.A.C. 1:1-14.4.

**ORDER**

I **ORDER** that the petition be **DISMISSED**.

This decision is final pursuant to 20 U.S.C. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2018) and is appealable by filing a complaint and bringing a civil action either in the Law Division of the Superior Court of New Jersey or in a district court of the United States. 20 U.S.C. § 1415(i)(2); 34 C.F.R. § 300.516 (2018).

April 18, 2019  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
**JOHN R. FUTEY, ALJ (Ret. on recall)**

Date Received at Agency \_\_\_\_\_

Date Mailed to Parties: \_\_\_\_\_

/vj