



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION

(Dismissal for Failure to Appear)

OAL DKT. NO. EDS 04647-19

AGENCY DKT. NO. 2019-29517

M.H. ON BEHALF OF L.H.,

Petitioner,

v.

ESSEX COUNTY VOCATIONAL BOARD

OF EDUCATION,

Respondent.

No appearance on behalf of the petitioner

Murphy Durkin, Esq. for respondent Durkin & Durkin, LLC attorneys)

Record Closed: April 18, 2019

Decided: April 23, 2019

BEFORE **JEFFREY A. GERSON**, 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 for hearing and final decision on April 4, 2019.

A hearing was scheduled for April 18, 2019. On the day of hearing, Counsel for the Board appeared, but the petitioner and her representative did not. To date, they have not called the Office of Administrative Law to explain their nonappearance.

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 (2009) 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 (2009).



April 23, 2019
DATE

JEFFREY A. GERSON, ALJ/Ret., on recall

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