



State of New Jersey

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NATASHA JOHNSON  
Director

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 08723-18 A.P.

AGENCY DKT. NO. S760972009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appealed from Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing date was initially scheduled for June 19, 2018, but at the hearing, the appeal was withdrawn by Petitioner's representative. See Initial Decision at 2. However, Petitioner claimed that her representative had withdrawn her appeal in error, and Petitioner's appeal was then reinstated and a new hearing date was scheduled for July 10, 2018. Ibid. Petitioner's representative appeared on that date, but the hearing was again adjourned because Petitioner's representative did not have the proper updated authorizations to appear on Petitioner's behalf. Ibid. The hearing was then rescheduled for July 26, 2018, but was adjourned yet again, at the request of Petitioner's representative, due to a complaint of back pain. Ibid. Finally, the matter was rescheduled for August 8, 2018. Ibid.

On August 8, 2018, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), was scheduled to preside over the plenary hearing. That morning, Petitioner's representative contacted the court to advise that he would arrive late morning for the hearing. However, by noon, Petitioner's representative failed to appear even though the court had extended him the courtesy of a late arrival. Ibid. Prior to leaving, the Agency's representative advised the ALJ that Petitioner's SNAP benefits had been restored effective June 20, 2018. Ibid.

On August 9, 2018, the ALJ issued an Initial Decision dismissing Petitioner's appeal, as no further adjournments were permissible pursuant to applicable regulatory authority. Id. at 3; see also N.J.A.C. 1:10-9.1(a) and N.J.A.C. 10:87-8.6(a)(4)(i). I agree. Moreover, as the record indicates that Petitioner's SNAP benefits were restored effective June 20, 2018, see Initial Decision at 2, I find that Petitioner's appeal is now moot.

Accordingly, the Initial Decision is hereby ADOPTED and Petitioner's appeal is hereby dismissed.

Officially approved final version.

AUG 28 2018

Natasha Johnson  
Director

