

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

DECISION

(Dismissal for Failure to Appear)

OAL DKT. NO. EDS 13112-14

AGENCY DKT. NO. 2015 21740

M.B. ON BEHALF OF C.B.,

Petitioner,

v.

ELIZABETH BOARD OF EDUCATION,

Respondent.

M.B., pro se

Jessica Kleen, Esq., for respondent (Machado Law Group, attorneys)

Record Closed: December 3, 2014

Decided: December 8, 2014

BEFORE **ELLEN S. BASS**, ALJ:

This case which arises under the Individuals with Disabilities Education Act, 20 U.S.C.A. §§1401 to 1484(a) and C.F.R. §§300.500, was transmitted to the Office of Administrative Law for hearing and final decision on October 14, 2014.

A hearing was scheduled for October 30, 2014, which was adjourned at the request of the school district and rescheduled for December 3, 2014. A notice of the revised date was sent to the petitioner on or about October 23, 2014. It was not returned as undeliverable. On the day of hearing the petitioner did not appear. Unsuccessful attempts were made to contact her via telephone. To date, she has not

explained her 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.A. § 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.A. § 1415(i)(2); 34 C.F.R. § 300.516 (2009).

December 8, 2014
DATE

ELLEN S. BASS, ALJ