

#447-12 (OAL Decision: Not available online)

J.P., on behalf of minor child, S.N. :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
CITY OF CLIFTON, PASSAIC COUNTY, :
RESPONDENT. :
_____ :

SYNOPSIS

Petitioner filed a *pro se* residency appeal on behalf of her child, S.N., in May 2012. The respondent Board filed an answer and a counterclaim for tuition. A hearing at the Office of Administrative Law (OAL) was scheduled for October 22, 2012. On October 15, 2012, the Board sent a letter requesting that the petition be dismissed because S.N. had transferred out of the district; the counterclaim for tuition was also withdrawn. Neither party appeared at the scheduled hearing.

The ALJ determined that this matter is no longer a contested case before the OAL; accordingly, the case was dismissed.

Upon full review and consideration, the Commissioner found that the matter is appropriately dismissed as moot.

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.

November 21, 2012

OAL DKT. NO. EDU 10137-12
AGENCY DKT. NO. 140-5/12

J.P., on behalf of minor child, S.N. :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
CITY OF CLIFTON, PASSAIC COUNTY, :
RESPONDENT. :
_____ :

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. The parties did not file exceptions.

Upon full consideration, the Commissioner finds – for the reasons presented by the ALJ in her Initial Decision – that this matter is appropriately dismissed as moot.

Accordingly, the instant petition of appeal is hereby dismissed.

IT IS SO ORDERED.¹

COMMISSIONER OF EDUCATION

Date of Decision: November 21, 2012

Date of Mailing: November 21, 2012

¹ 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)