

#276-16

MICHELE A. MOODY, :  
PETITIONER, :  
V. : COMMISSIONER OF EDUCATION  
BOARD OF EDUCATION OF THE : DECISION  
CITY OF ATLANTIC CITY,  
ATLANTIC COUNTY, :  
RESPONDENT. :

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SYNOPSIS

In 2014, petitioner filed a *pro se* petition seeking emergent relief in which she alleged that the respondent Board inappropriately transferred her children between schools, harassed her and failed to maintain accurate educational records. The Office of Administrative Law (OAL) was subsequently notified by an attorney that he would be representing the petitioner, and that she was withdrawing her request for emergent relief. The matter remained open until 2016 without further filings. A telephone conference was scheduled for April 7, 2016, but neither petitioner nor any attorney representing her appeared, despite having received appropriate notice of the conference. Notifications sent to the parties on June 23, 2016 provided an opportunity to submit an explanation for the nonappearance. When no explanation was filed by the petitioner, the OAL returned the file to the Commissioner.

Upon review, this matter was no longer deemed to be a contested case before the Commissioner. Accordingly, the petition was dismissed with prejudice.

<p>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.</p>
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July 25, 2016

OAL DKT. NO. EDU 05634-14  
AGENCY DKT. NO. 90-4/14

MICHELE A. MOODY, :  
PETITIONER, :  
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The record of this matter and advisement of petitioner’s failure to appear transmitted by the Office of Administrative Law (OAL) pursuant to *N.J.A.C. 1:1-14.4* – along with copies of notifications sent to the parties by OAL on June 23, 2016, providing an opportunity to submit an explanation for such nonappearance – have been reviewed. There being no explanation filed by petitioner, this matter is no longer deemed to be a contested case before the Commissioner and is hereby dismissed with prejudice.

IT IS SO ORDERED.<sup>1</sup>

COMMISSIONER OF EDUCATION

Date of Decision: July 25, 2016

Date of Mailing: July 25, 2016

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<sup>1</sup> 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*).