

#49-11

M.A.P., on behalf of minor child, J.M.C., :
 :
 PETITIONER, :
 :
 V. : COMMISSIONER OF EDUCATION
 :
 BOARD OF EDUCATION OF THE : DECISION
 TOWNSHIP OF WEST ORANGE, :
 ESSEX COUNTY, :
 :
 RESPONDENT. :

SYNOPSIS

Petitioner filed a *pro se* residency appeal on behalf of her child in September 2010. The respondent filed an answer and requested that the petition be dismissed. Petitioner received appropriate notice of a hearing on December 13, 2010, but failed to appear and provided no explanation for her nonappearance. Having received no explanation from the petitioner for her non-appearance, the OAL returned the file to the Commissioner.

There being no explanation filed, the Commissioner dismissed the petition 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>

January 25, 2011

OAL DKT. NO. EDU 11404-10
AGENCY DKT. NO. 526-9/10

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	:	
RESPONDENT.	:	

The record of this matter – transmitted to the Commissioner by the Office of Administrative Law (OAL) pursuant to *N.J.A.C.* 1:1-14.4, and including an advisement of petitioner’s failure to appear at the OAL hearing scheduled for December 13, 2010 – has been reviewed. Petitioner filed no explanation for her failure to appear, notwithstanding the opportunity to do so. Accordingly, this matter is no longer deemed to be a contested case before the Commissioner and is hereby dismissed with prejudice.*

IT IS SO ORDERED.

ACTING COMMISSIONER OF EDUCATION

Date of Decision: January 25, 2011

Date of Mailing: January 26, 2011

* 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).