

#438-12 (OAL Decision: Not available online)

CELINA CHENG, :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
TOWNSHIP OF NORTH BERGEN,
HUDSON COUNTY, :
RESPONDENT. :

SYNOPSIS

In June 2012, the petitioner – an adult student – filed a request for emergency relief to permit her to graduate from North Bergen High School and to attend commencement. The parties reached a tentative settlement of the issues, and petitioner confirmed on the record that she consented to the adjournment of the emergency hearing. On July 19, 2012, petitioner advised the ALJ that she would submit a letter withdrawing her emergent application. In October 2012, petitioner advised the ALJ’s office that she had received her high school diploma, and again stated that she would send a letter withdrawing her original application for emergent relief. No letter was every received.

The ALJ found that petitioner has knowingly and voluntarily withdrawn her emergent relief application, concluded that the matter is now moot, and ordered that the matter be dismissed with prejudice.

The Commissioner concurred with the ALJ’s findings, and determined that the case 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 13, 2012

OAL DKT. NO. EDU 8023-12
AGENCY DKT. NO. 162-6/12

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 PETITIONER, :
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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 concurs with the ALJ – for the reasons comprehensively detailed 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 13, 2012

Date of Mailing: November 13, 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)