

#249-14

MICHELLE LONGO-SARE, :
 :
 PETITIONER, :
 :
 V. : COMMISSIONER OF EDUCATION
 :
 STATE-OPERATED SCHOOL DISTRICT OF : DECISION
 THE CITY OF JERSEY CITY, :
 HUDSON COUNTY, :
 :
 RESPONDENT. :

SYNOPSIS

Petitioner filed an appeal in 1999, challenging the Board's charging of her accumulated sick leave for absences related to a work-related injury. This matter was the subject of a pending Worker's Compensation case and was repeatedly placed on the inactive list between 1999 and 2013. A hearing in the matter was subsequently scheduled for December 4, 2013, but that date was adjourned at the request of petitioner's counsel. The hearing was then re-scheduled for April 14, 2014 and appropriate notification was sent to the parties. On that date, neither party appeared for the hearing.

Based on the foregoing, the ALJ ordered that the matter be dismissed for failure to appear and prosecute.

The Commissioner concurred with the ALJ that the matter is appropriately dismissed for failure to appear and prosecute. Accordingly, the Initial Decision of the OAL was adopted as the final decision, and the petition was dismissed.

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.

June 10, 2014

OAL DKT. NO. EDU 01643-99
AGENCY DKT. NO. 2-1/99

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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 filed no exceptions to the Initial Decision. Upon his full and independent review, the Commissioner concurs with the Administrative Law Judge that this matter is appropriately dismissed for failure to appear and prosecute.

Accordingly, the Initial Decision of the OAL is adopted for the reasons stated therein and the instant Petition of Appeal is hereby dismissed.

IT IS SO ORDERED.¹

ACTING COMMISSIONER OF EDUCATION

Date of Decision: June 10, 2014

Date of Mailing: June 11, 2014

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*).