



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION

FAILURE TO APPEAR

OAL DKT. NO. EDS 17943-18

AGENCY DKT. NO. 2019 29160

A.P. on behalf of A.A.,

Petitioner,

v.

TRENTON BOARD OF EDUCATION,

Respondent.

No appearance by petitioner, A.A.

Audra Pondish, Esquire, for respondent (Adams, Gutierrez & Lattiboudere, LLC,
attorneys)

Record closed: December 19, 2018

Decided: December 20, 2018

BEFORE **DEAN J. BUONO**, ALJ:

A.P. filed an emergent relief application and due process petition with the Office of Special Education on December 18, 2018, and the matter was transmitted to the Office of Administrative Law (OAL). Oral argument on the emergent application was scheduled for December 19, 2018. By e-mail from the OAL Clerk's office, both petitioner and counsel for the Board of Education were notified of the date of the oral argument. Petitioner answered the e-mail by responding "Thanks."

On December 19, 2018, the date of oral argument, counsel for respondent Board appeared, but the petitioner did not. After waiting the required one-half hour for petitioner, I dismissed the Board counsel.

Petitioner neither called the OAL or sent in a letter indicating her reason for her nonappearance at the December 19, 2018, oral argument. Accordingly, I **CONCLUDE** that petitioner failed to appear for the December 19, 2018, oral argument and the matter is **DISMISSED**.

This decision is final pursuant to 20 U.S.C. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2018) and is appealable by filing a complaint and bringing a civil action either in the Law Division of the Superior Court of New Jersey or in a district court of the United States. 20 U.S.C. § 1415(i)(2); 34 C.F.R. § 300.516 (2018). If the parent or adult student feels that this decision is not being fully implemented with respect to program or services, this concern should be communicated in writing to the Director, Office of Special Education Programs.



December 20, 2018

DATE

DEAN J. BUONO, ALJ

Date Received at Agency _____

Date Mailed to Parties: _____

mph