

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

DECISION

(Dismissal for Failure to Appear)

OAL DKT. NO. EDS 9514-15

AGENCY DKT. NO. 2015-22866

S.L. ON BEHALF OF S.L.,

Petitioner,

v.

MAURICE RIVER TOWNSHIP

BOARD OF EDUCATION,

Respondent.

No appearance by or on behalf of petitioner

Frank DiDomenico, Esq., for respondent

Record Closed: July 13, 2015

Decided: July 13, 2015

BEFORE **JOHN SCHUSTER III, ALJ:**

This case which arises under the Individuals with Disabilities Education Act, 20 U.S.C.A. §§1401 to 1484(a) and C.F.R. §§300.500, was transmitted to the Office of Administrative Law for hearing and final decision on June 30, 2015.

A hearing was scheduled for July 9, 2015. An email notifying the parties of this scheduling was sent on June 29, 2015. It was not returned as undeliverable. On the day of hearing the petitioner did not appear. To date, the petitioner has not explained the nonappearance. Accordingly, the petition must be **DISMISSED** for failure to pursue a claim of action under N.J.A.C. 1:1-14.4.

ORDER

I **ORDER** that the petition be **DISMISSED** without prejudice.

This decision is final pursuant to 20 U.S.C.A. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2009) 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.A. § 1415(i)(2); 34 C.F.R. § 300.516 (2009).

July 13, 2015
DATE

JOHN SCHUSTER III, ALJ

Date Received at Agency

July 13, 2015

Date Mailed to Parties:

/cb