

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

VACAVILLE UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2013090216

ORDER DISMISSING COMPLAINT  
WITHOUT PREJUDICE

This matter was filed on September 10, 2013. On November 14, 2013, Student's then-attorneys, the firm of Ruderman and Knox, notified the Office of Administrative Hearings (OAH) that they no longer represented Student, and asked that all documents be directed to Student's Father. Since that time Student and her representative have filed no further pleadings in this matter, or made any appearances.

On December 27, 2013, by written order, OAH notified the parties that the prehearing conference (PHC) was set for January 6, 2014, at 10:00 a.m. Student did not file a PHC statement.

On January 6, 2014, at 10:00 a.m., the undersigned ALJ called the parties to begin the scheduled PHC. Although the District made an appearance, Student did not.

Due to Student's apparent failure to prosecute her complaint, OAH on January 6, 2014, issued an Order to Show Cause ordering Student to show cause why this matter should not be dismissed for her failure to participate in, prosecute or advance the case for hearing. Student was ordered to file a written response with OAH by not later than 5:00 p.m. on January 9, 2014, and in that response to address why her representative did not appear for the PHC on January 6, 2014, and whether she intends to go forward to a hearing. The Order to Show Cause further provided that should Student fail, without excuse, to timely file a response by January 9, 2014, as ordered, showing adequate cause for her apparent failure to prosecute this matter, OAH may dismiss this case without further notice.

Student has not responded to the Order to Show Cause. It appears that Student has abandoned the prosecution of this matter, which is now dismissed.

ORDER

Student's complaint is dismissed without prejudice.

Dated: January 15, 2014

/s/

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CHARLES MARSON  
Administrative Law Judge  
Office of Administrative Hearings