

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

GARDEN GROVE UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2011080592

ORDER DENYING MOTION TO  
DISMISS AS MOOT

On August 15, 2011, Parents on behalf of Student filed a Due Process Hearing Request<sup>1</sup> (complaint) against the Garden Grove Unified School District (District). On August 25, 2011, the District filed a motion to dismiss Issue 3 because Student did not allege any violation by the District because Student solely challenged Autism Partnership's, a non-public agency, decision to terminate services to Student. On August 31, 2011, Student filed a response that stated that Student withdrew Issue 3 from the complaint. Because Student withdrew Issue Three for hearing, the District's motion to dismiss is moot and the matter shall proceed only as to Issues 1 and 2 in the complaint.

IT IS SO ORDERED

Dated: September 2, 2011

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> A request for a due process hearing under Education Code section 56502 is the due process complaint notice required under title 20 United States Code section 1415(b)(7)(A).