

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

ENCINITAS UNION SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2012020128

ORDER GRANTING STUDENT'S
REQUEST FOR CONTINUANCE TO
FILE WRITTEN CLOSING
ARGUMENT

Written closing arguments were due in this case on October 1, 2012. On October 1, 2012, at approximately 11:40 a.m., Student filed a motion for a one-week continuance to file his argument. Student gave no reason for his motion to continue. The District immediately filed an opposition to Student's motion.

Student is appearing in pro per through his mother. Although he has not provided a reason for the continuance, his mother is not an attorney. This is Student's first request for a continuance in the briefing schedule and a one-week continuance is not unreasonable. Student's motion is therefore granted. Student's closing argument must now be filed with the Office of Administrative Hearings **and served on the District no later than 9:00 a.m. on Monday, October 8, 2012.**

However, the District has been prejudiced by Student's last minute motion as it timely filed its closing argument on October 1, 2012, before the undersigned was able to rule on Student's motion for continuance. Therefore, the District is given leave to file a reply to Student's closing argument by no later than **5:00 p.m. on Wednesday, October 10, 2012, of no more than 10 pages.** Student **may not** file a response to the District's reply brief.

IT IS SO ORDERED.

Dated: October 2, 2012

/s/

DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings