

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

STUDENT,

v.

WEST SONOMA COUNTY UNION HIGH  
SCHOOL DISTRICT.

OAH CASE NO. 2013030058

ORDER FOR ADDITIONAL  
INFORMATION RE STUDENT'S  
REQUEST TO ADVANCE THE  
HEARING DATE

On May 17, 2013, the undersigned Administrative Law Judge (ALJ) granted an unopposed request for continuance filed by Student's attorney, Peter Sturges, and continued the due process hearing in this matter to August 20, 2013. On June 3, 2013, the West Sonoma County Union High School District and Santa Rosa City Schools (collectively referred to as the Districts) filed a request to continue the August 20, 2013 hearing date to a later date. That request for continuance was deemed to be a request for reconsideration of the ALJ's order of May 17, 2013, and was denied on June 12, 2013, by the ALJ.

On June 12, 2013, the Office of Administrative Hearings (OAH) also received a letter from Student himself, not Mr. Sturges, opposing the Districts' request for continuance, and asking OAH to reschedule the August 20, 2013 hearing to an earlier date in August. Student's June 12, 2013 letter is deemed a request to advance the hearing.

In his June 12, 2013 letter to OAH, Student says that Mr. Sturges is on vacation, and Student implies that Mr. Sturges asked him to contact OAH himself about the Districts' June 3, 2013, request for continuance. On June 13, 2013, the ALJ ordered Student to serve the Districts' attorney with his letter and provide OAH with a proof of service. Student has complied with this Order, and Districts have now filed an opposition to Student's request to advance the hearing.

In their opposition the Districts point out that because no substitution of attorney has been filed they believe Student is represented still by counsel in this matter, so they cannot send him a copy of the opposition, although they have sent a copy to Mr. Sturges's office. Accordingly, a copy of the Districts' opposition is being forwarded to Student with a copy of this order.

OAH has not been notified that Mr. Sturges is no longer representing Student, but it is highly unusual for a represented party to be contacting OAH directly. OAH has telephoned Mr. Sturges's office and been directed to voicemail. Therefore, Student is hereby ordered to provide the following information to OAH within the next seven days:

1. Whether he is still represented by Mr. Sturges or other legal counsel;
2. Why Student has filed the request to advance the hearing rather than Mr. Sturges;
3. If Mr. Sturges is currently unavailable, the reason for his unavailability, the length of time he will be unavailable, and when he is expected to return, as well as an explanation from Student as to how he acquired this information. In addition, if Mr. Sturges continues to represent Student, OAH needs to know whether he will be available to proceed with the due process hearing on the days Student is requesting.

Student shall transmit via facsimile a copy of his response to this Order to the attorney for the Districts when he files it with OAH, and provide OAH with proof of service. If Mr. Sturges is available to respond to this Order, he shall respond rather than Student.

IT IS SO ORDERED.

Dated: June 20, 2013

/s/  
\_\_\_\_\_  
REBECCA FREIE  
Administrative Law Judge  
Office of Administrative Hearings