

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

SAN JOSE UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2013070150

ORDER DENYING MOTION TO  
DISMISS AS MOOT

On June 28, 2013, Student filed a Request for Due Process Hearing (complaint) against the San Jose Unified School District (District) with the Office of Administrative Hearings (OAH). On July 8, 2013, the District filed a motion to dismiss certain of Student's claims for exceeding the scope of OAH's jurisdiction and for being outside the two-year statute of limitations. On July 11, 2013, Student filed a response.

On July 8, 2013, the District filed a Notice of Insufficiency as to Student's complaint. On July 9, 2013, OAH issued an order finding that Student's complaint was insufficiently pled as to issues one, two, five, six, seven, eight, nine, 10, 11, 13, 14, and 15, and giving Student 14 days to file an amended complaint. On July 16, 2013, Student filed an amended complaint. As Student has filed an amended complaint, the District's motion to dismiss is moot and therefore denied.

IT IS SO ORDERED

Dated: July 17, 2013

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings