

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

DIXIE SCHOOL DISTRICT.

OAH Case No. 2015090865

ORDER GRANTING PEREMPTORY  
CHALLENGE

On November 23, 2015, Student filed a “Notice of Recusal” seeking to challenge the assignment of Administrative Law Judge Charles Marson in the above captioned matter. This is being considered a peremptory challenge. Student’s peremptory challenge is made pursuant to Government Code section 11425.40, subdivision (d), of the Administrative Procedures Act, and California Code of Regulations, title 1, section 1034.

Government Code section 11425.40, subdivision (d), establishes the criteria for disqualification of the presiding officer. A party is entitled to one peremptory challenge (disqualification without cause) to an ALJ assigned to an Office of Administrative Hearings hearing. (Cal. Code Regs., tit. 1, § 1034, subds. (a) & (b); Gov. Code, § 11425.40, subd. (d).) Student’s peremptory challenge is timely made and is granted pursuant to Government section 11425.40, subdivisions (a) and (d), and California Code of Regulations, title 1, section 1034, subdivision (c). The matter is reassigned to ALJ Lisa Lunsford.

IT IS SO ORDERED

DATE: November 23, 2015

/s/

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MARGARET BROUSSARD  
Presiding Administrative Law Judge  
Office of Administrative Hearings