

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH CASE NO. 2013120333

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT,

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LOS ANGELES UNIFIED SCHOOL  
DISTRICT,

OAH CASE NO. 2013120709

v.

PARENT ON BEHALF OF STUDENT.

ORDER AFTER SHOW CAUSE  
HEARING AND PRE-HEARING  
CONFERENCE; DISMISSING  
STUDENT'S CASE NO. 2013120333;  
AND CONTINUING PREHEARING  
CONFERENCE IN DISTRICT'S CASE  
NO. 2013120709

ORDER TO SHOW CAUSE HEARING

On February 28, 2014, Administrative Law Judge (ALJ) issued an Order to Show Cause (OSC) as to why Student's case should not be dismissed for failure to prosecute or move the case forward. The OSC immediately followed the ALJs multiple attempts to hold a scheduled prehearing conference (PHC), at which Parent failed to appear. Parent also failed to file a prehearing conference statement.

The OSC required Student's parent to appear telephonically at 1:00 p.m. on March 3, 2014. OAH served the Order by next-day delivery on Parent, and left a detailed message on Parent's answering machine. The Order also continued the prehearing conference in the consolidated matters to 1:00 p.m. on March 3, 2014.

On March 3, 2014, at 1:00 p.m., the undersigned ALJ convened the OSC hearing, which was recorded. District's attorney Donald Erwin appeared for District. The ALJ made multiple attempts to call Parent's phone number of record. Each time no one personally answered the call, and a recorded message stated that the mailbox was full, resulting in the ALJ's inability to leave a message. Parent did not contact OAH before or during the hearing.

Parent has failed to participate in, advance and prosecute this matter. Student's Case No. 2013120333 is therefore dismissed.

PREHEARING CONFERENCE IN DISTRICT'S CASE

Following the OSC hearing, District's counsel informed the ALJ that, because OAH had dismissed Student's case for lack of prosecution, District would immediately withdraw its complaint in OAH Case No. 2013120709, which was consolidated with Student's case.

Accordingly, the prehearing conference in District's case is continued to Friday, March 7, 2014, at 1:00 p.m. to allow District time to file its withdrawal. If District fails to file its withdrawal, the prehearing conference will go forward. All dates remain as scheduled.

IT IS SO ORDERED.

DATE: March 3, 2014

/s/

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ADRIENNE L. KRIKORIAN  
Administrative Law Judge  
Office of Administrative Hearings