

asked Looney to either withdraw his appeal or show cause, by September 6, 2013, why the appeal should not be dismissed. Looney did not respond. Thereafter, the ALJ transferred the case to the Board with a recommendation that the appeal be dismissed.

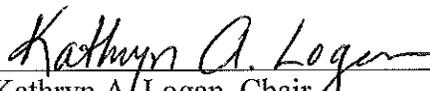
For purposes of this Order, we assume the allegations in the appeal are true. We also rely on undisputed facts discovered during our investigation. *Miller v. State of Oregon, Department of Human Services, Seniors and People with Disabilities*, Case No. MA-010-10 at 2 (2011).

Looney has the right to appeal a suspension. ORS 240.560. However, as the State rescinded the suspension, a fact which Looney has not contested, there is no action to appeal.

ORDER

The appeal is dismissed.

DATED this 11 day of September 2013.



Kathryn A. Logan, Chair



Jason M. Weyand, Member



Adam L. Rhynard, Member

This Order may be appealed pursuant to ORS 183.482.