BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS STATE OF OREGON for the SUPERINTENDENT OF PUBLIC INSTRUCTION

IN THE MATTER OF THE EDUCATION OF) FINAL ORDER OF DISMISSA	٩L
M.C. and Oregon City School District) Case No.: DP 10-104)	

On March 9, 2010, Student's Parent ("the Parent") submitted a request for a due process hearing with the Oregon Department of Education ("ODOE"). The ODOE referred that request to the Office of Administrative Hearings ("OAH"). On March 15, 2010, the OAH issued a Notice of Prehearing for April 9, 2010. The Parent did not attend the conference, but participated by providing information via an email, which was read into the record. On April 15, 2010, the OAH issued a Notice of Hearing & Rights. In the Notice of Hearing & Rights, the OAH scheduled the hearing for May 4-5, 2010, dates on which both the Oregon City School District ("the District") and the Parent were available. On April 26, 2010, the Parent requested a continuance so the Parent could obtain legal counsel. The OAH granted the Parent's request. On April 28, 2010, the OAH issued a Notice of Prehearing for May 7, 2010. The purpose of the second Prehearing was to discuss the status of Petitioner's effort to obtain counsel, and to set new dates for the hearing. On April 28, 2010, the Parent withdrew the request for hearing.

ORDER

The Parent's request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

Denise Marie McGorrin Administrative Law Judge Office of Administrative Hearings

APPEAL PROCEDURE

NOTICE TO ALL PARTIES: If you are dissatisfied with this Order you may, within 90 days after the mailing date on this Order, commence a nonjury civil action in any state court of competent jurisdiction, ORS 343.175, or in the United States District Court, 20 U.S.C. § 1415(i)(2). Failure to request review within the time allowed will result in **LOSS OF YOUR RIGHT TO APPEAL FROM THIS ORDER**.

ENTERED at Salem, Oregon this 3rd day of May, 2010 with copies mailed to:

In the Matter of M.C. and Oregon City School District,

¹ The District's request for a Section 504 hearing, served on April 28, 2010, will not be considered because the ODOE has not referred that request to the OAH.

Jan Burgoyne, Street NE, Sale	Oregon Depar em, OR 97310-	tment of Edu 0203.	cation, Public S	Services Building,	255 Capitol

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Final Order of Dismissal in Case No. DP 10-104 on the foregoing parties on this 3rd day of May, 2010 by depositing a copy of said document in a sealed envelope in the United States Mail at Salem, Oregon, with the postage thereon fully prepaid, and addressed to:

Parent(s) of M.C. 18018 Country Village Drive Oregon City, OR 97045

Suzy Harris, AAL 4110 SE Hawthorne Blvd. PMB #284 Portland, OR 97214-5246

Roger Rada, Superintendent Oregon City School District PO Box 2110 Oregon City, OR 97045-5010

BY SHUTTLE MAIL:

Ty Manieri, Legal Specialist Oregon Department of Education 255 Capitol Street NE Salem, OR 97310

> Joanne Call, Hearings Coordinator Office of Administrative Hearings