

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF OREGON  
for the  
OREGON DEPARTMENT OF EDUCATION**

IN THE MATTER OF:THE ) **FINAL ORDER OF DISMISSAL**  
EDUCATION OF )  
 ) OAH Case No. 2019-ABC-03205  
**C.M. AND PORTLAND SCHOOL ) Agency Case No. DP 19-109**  
**DISTRICT 1J**

**FINDINGS OF FACT**

1. On October 4, 2019, Parents, filed a Request for Due Process Hearing Complaint with the Oregon Department of Education (ODE). ODE subsequently referred the request to the Office of Administrative Hearings (OAH). The OAH assigned the case to Administrative Law Judge (ALJ) Jill Marie Messecar for hearing.

2. On October 29, 2019, the OAH mailed a Notice of Prehearing Teleconference to the parties, scheduling the teleconference for November 7, 2019.

3. At 9:23 p.m. on October 30, 2019, Parents emailed a request to withdraw their request for a due process hearing and asked that the complaint be dismissed without prejudice. On October 31, 2019, the OAH received the email and granted the request.

**ORDER**

Parent's October 4, 2019 Due Process Hearing Complaint in the above-captioned matter is **DISMISSED** without prejudice.

Jill Marie Messecar  
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 31st day of October, 2019, with copies mailed to:

Jan Burgoyne, Oregon Department of Education, Public Services Building, 255 Capitol Street  
NE, Salem, OR 97310-0203.

**CERTIFICATE OF MAILING**

On October 31, 2019 I mailed the foregoing FINAL ORDER OF DISMISSAL in OAH Case No. 2019-ABC-03205 to the following parties.

By: First Class Mail

Parent(s) of Student  
9027 SE Crystal Spring Blvd  
Portland OR 97233

Graham Hicks  
Graham M Hicks PC  
Murrayhill Professional Suites  
14780 SW Osprey Dr. Suite 280  
Beaverton OR 97007

Guadalupe Guerrero, Superintendent  
Portland School District 1J  
PO Box 3107  
Portland OR 97208

**BY ELECTRONIC MAIL:**

Elliot Field, Legal Specialist  
Department of Education  
255 Capitol Street NE  
Salem, OR 97310-0203

Lucy M Garcia  
Hearing Coordinator  
Office of Administrative Hearings