BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. SACRAMENTO CITY UNIFIED SCHOOL DISTRICT AND VACAVILLE UNIFIED SCHOOL DISTRICT.	OAH Case No. 2016031019 ORDER DENYING MOTION TO QUASH SUBPOENA DUCES TECUM

On March 17, 2016, Student filed a due process hearing request, naming Vacaville Unified School District and Sacramento City Unified School District. On August 11, 2016, Student's motion to amend his due process hearing request was granted by the Office of Administrative Hearings, and Student's amended complaint was deemed filed on that date. The due process hearing is currently set to begin on October 5, 2016.

On September 15, 2016, Student filed a motion to quash the subpoena duces tecum, dated August 23, 2016, issued by Vacaville, through its legal counsel. Student's motion references two exhibits purportedly attached to its motion; however, Student did not file any exhibits with his motion. One of the referenced exhibits was to be a copy of the subpoena duces tecum at issue in Student's motion. The Office of Administrative Hearings cannot rule on the motion without reviewing the subpoena duces tecum at issue.[1] Accordingly, Student's motion is denied without prejudice. Student may re-file his motion with the referenced exhibits attached to the motion.

IT IS SO ORDERED.

DATE: September 23, 2016

DocuSigned by:
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DENA COGGINS
Administrative Law Judge
Office of Administrative Hearings

[1] Vacaville attached a copy of a subpoena duces tecum, executed by Vacaville's counsel on August 19, 2016. However, Student's motion references a subpoena duces tecum dated August 23, 2016, which was not provided.