BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

CAPISTRANO UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NUMBER 2023120742

ORDER DENYING REQUEST FOR RECONSIDERATION

APRIL 22, 2024

On April 17, 2024, the undersigned Administrative Law Judge issued an order denying Student's motion to consolidate. On April 22, 2024, Student filed a motion to reconsider the order denying request for consolidation. The Office of Administrative Hearings did not receive a response from Capistrano Unified School District.

The Office of Administrative Hearings will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period, generally within ten days. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking reconsideration may also be required to provide an explanation for its failure to previously provide the different facts, circumstances, or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

Student offers no new facts, circumstances, or law to support reconsideration. Student has not established the April 17, 2024, Order should be reconsidered. Therefore, the motion for reconsideration is denied.

Student's motion included a request to continue the consolidated due process hearing. The request was based upon a declaration that Student's attorney has a medical problem. OAH denied Student's request to consolidate and therefore the request to continue the consolidated matter is moot. The ALJ will address Student's attorney's medical problem and any requests for continuances at the start of the April 23, 2024, due process hearing. All dates set in this matter are confirmed unless otherwise ordered.

IT IS SO ORDERED.

Jennifer Kelly

Jennifer Kelly
Administrative Law Judge
Office of Administrative Hearings