BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

RIVERSIDE UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025110650

ORDER VACATING ORDER TO SHOW CAUSE HEARING

APRIL 16, 2026

On April 10, 2026, a prehearing conference was scheduled before Administrative Law Judge Cynthia Fritz, Office of Administrative Hearings, called OAH. The administrative law judge is called the ALJ. The prehearing conference is called PHC.

Student's counsel, Marc Levine, did not appear at the PHC. Levine did not file a PHC statement on behalf of Student, as required under OAH procedures.

The ALJ ordered Levine to file a declaration with OAH no later than 5:00 p.m. on Tuesday, April 14, 2026, explaining the failure to appear at the PHC on April 10, 2026, and failure to file a prehearing conference statement, and why he should not be ordered to pay costs incurred by Riverside Unified School District, California School for the Deaf, Riverside, and the Office of Administrative Hearings as a result of his failure to appear at

the PHC. The respondents were given an opportunity to file responses to Levine's declaration by 12:00 PM, April 16, 2026.

On April 14, 2026, Levine filed a declaration with sufficient explanation for the failure to appear. Levine believed his office filed a dismissal and he incorrectly believed the prehearing conference was vacated. Moreover, Levine established he took steps necessary within his office to ensure this type of error does not happen again in the future.

The respondents did not file any responses to Levine's declaration. Accordingly, the Order to Show Cause hearing is vacated. Levine is on notice that despite his declaration, no dismissal has been submitted to OAH. Accordingly, all dates remain on calendar, including the prehearing conference set for April 17, 2026, at 3:00 PM, and the due process hearing scheduled to begin April 28, 2026.

IT IS SO ORDERED.

Cynthia Fritz

Cynthia Fritz
Administrative Law Judge
Office of Administrative Hearings