BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

EARLIMART SCHOOL DISTRICT,

OAH CASE NUMBER 2026010501

OAH CASE NUMBER 2026031274

ORDER GRANTING STUDENT'S PEREMPTORY CHALLENGE

JUNE 26, 2026

On June 26, 2026, before the prehearing conference, Student filed a notice of peremptory challenge with the Office of Administrative Hearings, called OAH, to Administrative Law Judge Alexa Hohensee. An Administrative Law Judge is called ALJ. The peremptory challenge is made pursuant to Government Code section 11425.40, subdivision (d), of the Administrative Procedures Act, and California Code of Regulations, title 1, section 1034.

Government Code section 11425.40, subdivision (d), establishes the criteria for disqualification of the presiding officer. A party is entitled to one peremptory challenge, also called disqualification without cause, to an ALJ assigned to an OAH hearing. (Cal.

Code Regs., tit. 1, § 1034, subds. (a) & (b); Gov. Code, § 11425.40, subd. (d).) A peremptory challenge is not allowed if made after the hearing starts. In addition, if at the time of a scheduled prehearing conference, an ALJ has been assigned to the hearing, any challenge to the assigned ALJ must be made no later than the start of that prehearing conference. (Cal. Code Regs., tit. 1, § 1034, subd. (c).) A peremptory challenge is not allowed on reconsideration or remand. (Cal. Code Regs., tit. 1, § 1034, subd. (a).)

The peremptory challenge is timely and granted. The case is now assigned to ALJ Jennifer Kelly and all scheduled dates remain on calendar.

IT IS SO ORDERED.

Tara Doss

Tara Doss
Presiding Administrative Law Judge
Office of Administrative Hearings