

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

RIVERSIDE COUNTY OFFICE OF
EDUCATION AND RIVERSIDE COUNTY
PROBATION DEPARTMENT.

OAH CASE NO. 2014041107

ORDER DENYING REQUEST FOR
RECONSIDERATION

On May 12, 2014, the undersigned administrative law judge issued an order finding that Student's complaint was insufficient as to the Riverside County Probation Department and giving Student 14 days to file an amended complaint. On May 12, 2014, Student attempted to file a request for reconsideration with the Office of Administrative Hearings. OAH received the request on June 6, 2014.¹ Neither the Riverside County Office of Education nor Probation submitted a response.

APPLICABLE LAW

OAH 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 of time. (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.)

DISCUSSION AND ORDER

Student alleges no new facts, circumstances, or law in support of the request reconsideration, as the request cites to a portion of Student's complaint that does not clearly set out Student's requested relief as to Probation. Accordingly, Student's request for reconsideration is denied. However, due to the delay in OAH receiving Student's request, Student shall be allowed to file an amended complaint not later than 14 days from the date of

¹ Student faxed the request on May 12, 2014, to an incorrect number, 916-376-6316. The request was faxed to the correct number on June 6, 2014, 916-376-6319.

this order. If Student fails to file a timely amended complaint, the complaint will be dismissed as to Probation, and proceed only against County.

IT IS SO ORDERED.

DATE: June 13, 2014

/s/

PETER PAUL CASTILLO

Administrative Law Judge

Office of Administrative Hearings