

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

LINCOLN UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2021090373

ORDER DENYING MOTION TO
RESET PROCEDURAL TIMELINES

SEPTEMBER 23, 2021

On September 13, 2021, Student filed a due process hearing request with the Office of Administrative Hearings, called OAH naming Lincoln Unified School District.

On September 13, 2021, Lincoln filed a motion to reset the procedural timelines based on Student having served Lincoln after the close of business on a Friday. Lincoln considered Student's complaint received the following Monday. Student did not respond to the motion.

DISCUSSION

OAH deemed the complaint filed on Monday, September 13, 2021, as OAH received the complaint at 6:48 PM, on September 10, 2021. (Cal. Code Regs., tit. 1, § 1008, subd. (h).) Therefore, OAH considered the complaint served on Lincoln on September 13, 2021, and set the prehearing conference and due process hearing dates accordingly. Therefore, there is no need to reset the procedural timelines in this matter.

Lincoln's motion to reset procedural timelines is denied.

IT IS SO ORDERED

Kara Hatfield

Kara Hatfield

Administrative Law Judge

Office of Administrative Hearings