

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

BALDWIN PARK UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026051000

ORDER DISMISSING CASE WITHOUT PREJUDICE

JULY 13, 2026

On May 20, 2026, Student filed a due process hearing request with the Office of Administrative Hearings, called OAH, naming Baldwin Park Unified School District, called Baldwin Park. OAH set the prehearing conference, called PHC, for June 29, 2026, at 1:00 PM, and the due process hearing for July 7, 2026, through July 9, 2026, and assigned the matter to Administrative Law Judge Chris Butchko. The Administrative Law Judge is called an ALJ. Baldwin Park filed a peremptory challenge of ALJ Butchko on June 29, 2026.

On June 29, 2026, at approximately 1:10 PM, OAH informed the parties Baldwin Park's challenge was granted, the case was reassigned to ALJ Paul Kamoroff, and that the June 29, 2026 PHC would begin at 2:00 PM. ALJ Kamoroff sent electronic invitations to the parties for the PHC. At approximately 1:20 PM, Student's representative called OAH and stated their plan to file a peremptory challenge to ALJ Kamoroff.

On June 29, 2026, at 2:00 PM, ALJ Kamoroff held the PHC by videoconference. Attorney Sundee Johnson appeared for Baldwin Park. No appearance was made for Student. OAH and Baldwin Park's attorney each contacted Student's attorney several times by telephone to remind her the PHC was being convened, but Student's attorney failed to appear. Following the PHC on June 29, 2026, OAH issued an Order to Show Cause why the case should not be dismissed for Student's failure to appear at the PHC, called OSC, and set the OSC hearing for July 10, 2026, at 10:00 AM. OAH also continued the PHC to July 10, 2026, immediately following the PHC, and the due process hearing to July 21, 2026, through July 23, 2026, if the case was not dismissed at the OSC hearing.

At 2:28 PM on June 29, 2026, Student filed a notice of peremptory challenge to ALJ Kamoroff. That same day, OAH denied the peremptory challenge because it was not filed before the PHC.

On July 10, 2026, OAH held the OSC hearing. Attorney Diana Renteria represented Student. Attorney Gabrielle Ortiz represented Baldwin Park. OAH recorded the OSC. Baldwin Park filed a declaration prior to the OSC. Student did not file any pleadings prior to the OSC. OAH received oral argument during the OSC hearing.

Attorney Renteria appeared at the OSC hearing unprepared. She acknowledged that she had not reviewed the June 29, 2026 OAH OSC Order, nor the June 29, 2026 OAH Order denying Student's peremptory challenge. Renteria represented that she first became aware of the OSC hearing on the morning it was held and admitted that she had not reviewed emails sent to the email addresses designated as counsel of record, diana@autismlaws.com.

Renteria further admitted that she had not reviewed OAH's May 26, 2026 Scheduling Order and had failed to submit the required Participant Information Form, through which she could have provided additional or updated contact information.

During the OSC hearing, Renteria initially misrepresented that she was unaware the PHC had been rescheduled to 2:00 p.m. She subsequently acknowledged that both OAH and Baldwin Park's counsel had informed her, before and during the PHC, of the revised PHC time. Renteria further admitted that she was available to appear at the PHC but deliberately elected not to do so based on her intention to file a peremptory challenge to the assigned ALJ.

The Administrative Procedure Act governs proceedings before OAH. Government Code section 11455.10 authorizes contempt sanctions for disobedience of, or resistance to, a lawful order. California Education Code sections 56500.1 et seq. establish the procedural safeguards applicable to special education due process hearings, and Education Code section 56502 prescribes the mandatory timelines and procedural requirements governing such proceedings absent an approved continuance.

Attorney Renteria's failure to comply with OAH Orders was willful and knowing and demonstrates that Student was either unprepared or unwilling to timely prosecute this matter. Student failed to establish good cause for counsel's failure to appear at the PHC or to otherwise demonstrate why the matter should not be dismissed for failure to prosecute. Accordingly, the due process complaint is DISMISSED WITHOUT PREJUDICE. All remaining hearing dates are VACATED.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "Paul Kamoroff".

Paul H Kamoroff

Administrative Law Judge

Office of Administrative Hearings