

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

CORONA-NORCO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026051154

ORDER DENYING STUDENT'S MOTION TO DISMISS
WITHOUT PREJUDICE

AUGUST 3, 2026

The non-expedited portion of this due process hearing in this matter is scheduled to start on August 4, 2026. On July 1, 2026, OAH denied the same motion on the ground that a matter may only be dismissed with prejudice after the hearing has begun. This hearing began on June 16, 2026.

On July 31, 2026, Student filed another motion to dismiss without prejudice, omitting a proof of service.

This second motion to dismiss must also be denied. Student relies on provisions of the Federal Rules of Civil Procedure. Those rules do not govern special education due process hearings in California. Instead, these hearings are governed primarily by section

3080 and following of title 5 of the California Code of Regulations, and secondarily by Chapter 4.5 of California's Administrative Procedure Act.

Student's second motion to dismiss without prejudice is denied. At this stage of the hearing, Student may seek dismissal only by dismissing with prejudice. The non-expedited portion of the due process hearing will commence as currently calendared unless properly dismissed.

Charles Marson

Charles Marson

Administrative Law Judge

Office of Administrative Hearings