BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LARCHMONT CHARTER SCHOOL.

OAH CASE NUMBER 2021030156

ORDER GRANTING STUDENT'S MOTION TO DISMISS ISSUES 3 AND 5, WITH PREJUDICE

AUGUST 5, 2021

On July 30, 2021, Parents and Student, collectively Student, filed a Motion to Dismiss Issues 3 and 5 as set forth in the June 18, 2021, Prehearing Conference Order in this matter, with prejudice. On August 4, 2021, Larchmont Charter School filed a notice of non-opposition to Student's Request.

In matters of civil procedure, the Office of Administrative Hearings often analogizes to California law. Code of Civil Procedure section 581, subdivision (e), authorizes a court to dismiss claims with prejudice after the commencement of a hearing, upon the plaintiff's request.

Consequently, Student's Request is granted, and Issues 3 and 5 as described above are dismissed with prejudice. The Decision in this matter will reflect that the remaining issues presented in this matter were renumbered as a result of the dismissal with prejudice of Issues 3 and 5.

IT IS SO ORDERED.

Elsa Jones

Elsa H. Jones
Administrative Law Judge
Office of Administrative Hearings