BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

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| In the Matter of:<br><br>PARENT ON BEHALF OF STUDENT,<br><br>v.<br><br>SAN DIEGUITO UNION HIGH SCHOOL DISTRICT. | OAH Case No. 2018021017<br><br>ORDER DISMISSING NON-EXPEDITED CLAIMS |

On February 26, 2018, Student filed this action, which contained claims requiring an expedited hearing and claims which did not. Hearing on the non-expedited claims was commenced on March 22, 2018, and completed on April 17, 2018. Decision on the expedited claims was issued on May 7, 2018.

Hearing on the non-expedited claims was convened and completed on May 22, 2018. The parties were given until June 4, 2018, to submit their final briefing on the non-expedited claims. On May 29, 2018, Student submitted a notice that he wished to withdraw his non-expedited claims.

Because hearing on the non-expedited claims had taken place, Student could not withdraw those claims unless the withdrawal was with prejudice to refiling. (Cal. Code Civ. Proc., § 581, subd. (e).) OAH issued an order on May 31, 2018, requesting that Student notify OAH by June 8, 2018, if he did not wish to have his non-expedited claims dismissed with prejudice. Student did not respond, and therefore has consented to the dismissal of his claims with prejudice.

Accordingly, the remaining claims in this matter are dismissed with prejudice. The May 7, 2018 Decision in this matter resolves all claims in this action and is the only Decision that will issue.

DATE: June 25, 2018

DocuSigned by:
Chris Butchko
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CHRIS BUTCHKO
Administrative Law Judge
Office of Administrative Hearings