BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

ADELANTO ELEMENTARY SCHOOL DISTRICT, DESERT MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA, AND DESERT MOUNTAIN CHILDREN'S CENTER.

OAH CASE NUMBER 2025060065

ORDER DENYING REQUEST FOR RECONSIDERATION

AUGUST 11, 2025

On July 29, 2025, the undersigned Administrative Law Judge issued an order denying without prejudice Student's motion to quash certain subpoenas. This will be called the July 29, 2025 Order. In that Order, the undersigned explained that Student could refile his motion to quash. The undersigned also explained that Student would need to include copies of the subpoenas he wished to quash, authenticated by a sworn declaration made under the penalty of perjury.

On August 4, 2025, Student filed a Motion for Reconsideration regarding the denial of Student's motion to quash. In his motion, Student reargues many of the same

points he raised in his initial motion. Student included 47 pages of exhibits, which include various unauthenticated documents, interspersed with commentary from Parent. Student did not include copies of the subpoenas in question, authenticated or otherwise.

On August 6, 2025, Adelanto filed an opposition. Adelanto argues that Student did not raise any new or different relevant facts, circumstances, or law justifying reconsideration. Adelanto also argues that reconsideration is not necessary because OAH denied Student's motion to quash without prejudice, and Student is free to file another motion to quash.

Adelanto's response includes additional arguments regarding the substance of Student's motion to quash, in the event the Office of Administrative Hearings, called OAH, interpreted Student's Motion for Reconsideration as a new motion to quash. OAH does not interpret Student's motion as a new motion to quash, therefore does not address those arguments in Adelanto's response.

OAH did not receive responses from Desert Mountain Special Education Local Plan Area, called SELPA, and Desert Mountain Children's Center. Neither of those respondents were parties to the matter when OAH issued the July 29, 2025 Order.

APPLICABLE LAW

The Office of Administrative Hearings will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period of time, generally within ten days. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking reconsideration may also be required to provide an explanation for its failure to

previously provide the different facts, circumstances or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

DISCUSSION

Student's Motion for Reconsideration is denied. Student offers no new facts, circumstances, or law to support reconsideration. Moreover, reconsideration is not necessary because the July 29, 2025 Order denied Student's motion to quash without prejudice, and expressly authorized Student to file another motion to quash.

Student is reminded that, should he choose to file another motion to quash, he must include copies of the subpoenas that he wishes to quash, and those copies must be authenticated by a sworn declaration made under the penalty of perjury.

ORDER

1. Student has not established the July 29, 2025 Order should be reconsidered.
2. The motion for reconsideration is denied.

IT IS SO ORDERED.

Ashok Pathi

Ashok Pathi
Administrative Law Judge
Office of Administrative Hearings