BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. TORRANCE UNIFIED SCHOOL DISTRICT.	OAH Case No. 2015100570 ORDER DENYING PEREMPTORY CHALLENGE

On Monday, February 22, 2016. District filed a peremptory challenge, seeking to disqualify Administrative Law Judge Alexa Hohensee from hearing this case, which is scheduled to commence on Tuesday, February 23, 2016. District's peremptory challenge is untimely and is denied.

The peremptory challenge is made pursuant to Government Code section 11425.40, subdivision (d), of the Administrative Procedures Act, and California Code of Regulations, title 1, section 1034. Government Code section 11425.40, subdivision (d), establishes the criteria for disqualification of the presiding officer. California Code of Regulations, title 1, section 1034 establishes the timeliness requirements. Pursuant to California Code of Regulations, title 1, section 1034, subdivision (e), for a hearing (such as this one) that is scheduled to occur at a location other than an OAH office, a peremptory challenge must be filed by noon on Friday the week preceding the matter's commencement.

District was notified of the appointment of ALJ Hohensee to this matter on Thursday, February 18, and neglected to timely file the peremptory by noon on Friday, February 19. The peremptory challenge is therefore untimely pursuant to California Code of Regulations, title 1, section 1034, subdivision (e), and is denied.

IT IS SO ORDERED.

DATE: February 22, 2016

DocuSigned by:
June Lehrman
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JUNE R. LEHRMAN
Presiding Administrative Law Judge
Office of Administrative Hearings