BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:	
PARENT ON BEHALF OF STUDENT,	OAH Case No. 2017090457
v.	ORDER REGARDING PAYMENT OF COSTS
TRACY UNIFIED SCHOOL DISTRICT.	

On March 13, 2018, Administrative law Judge Charles Marson ordered costs in the amount of $4000.00 shifted to attorney Nicole Hodge Amey. Ms. Amey was ordered to remit the $4000.00 to OAH within ten business days. On the tenth business day, Ms. Amey failed to remit the amount owed and instead sent OAH a letter asking to pay the amount in installments of $150.00 per month. On April 5, 2018, ALJ Marson granted Ms. Amey's request to pay the cost in installments but declined to agree to the $150.00 per month amount. ALJ Marson ordered four payments in the amount of $1000.00 each to be made April 15, 2018, June 15, 2018, August 15, 2018, and October 15, 2018. This Order was properly served on Ms. Amey.

Ms. Amey failed to remit the $1000.00 payment on or before April 15, 2018. Ms. Amey had no further communications with the Office of Administrative Hearings regarding these costs and the installments due under the April 5, 2018 Order. On May 21, 2018, OAH sent a letter to Ms. Amey notifying her that OAH had no record of receiving the April 15, 2018 payment of $1000.00. The letter asked Ms. Amey to provide proof of payment, if she had sent the payment, to OAH no later than May 29, 2018. The letter further stated that the other three installments must be received by the close of business on each of the remaining installment payment dates. Finally, the letter warned Ms. Amey that no additional notices would be provided and that OAH may take additional actions including a referral for contempt if she failed to comply with the Orders.

Ms. Amey missed all of the installment deadlines in the Order. Ms. Amey had no communication with OAH regarding her failure to comply. On October 22, 2018, OAH received a check from Ms. Amey referencing the above captioned case for $ 1000.00 made out to a different state agency. That check is being returned to Ms. Amey via certified mail. This Order will also be sent with the check as well as electronically served on Ms. Amey. The full amount of costs are due and owing and no further installment payments will be accepted.

ORDER

1. Ms. Amey shall send a *certified check or money order* in the amount of $4000.00 made out to the Office of Administrative Hearings.

2. The funds shall be sent to the following address:

   Office of Administrative Hearings
   Attention: Presiding Judge Gibson
   2349 Gateway Oaks, Suite 200
   Sacramento, CA 95833

3. The funds shall be received no later than 4:00 p.m. on November 1, 2018.

4. Nothing in this order shall be construed as modifying or reconsidering either of ALJ Marson's previous Orders on costs.

DATE: October 25, 2018

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Margaret Gibson
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MARGARET GIBSON
Division Presiding Administrative Law Judge
Office of Administrative Hearings