

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF OREGON  
for the  
OREGON DEPARTMENT OF EDUCATION**

IN THE MATTER OF THE	)	<b>FINAL ORDER OF DISMISSAL</b>
EDUCATION OF:	)	
	)	
<b>STUDENT AND PORTLAND</b>	)	OAH Case No. 2024-ABC-06367
<b>SCHOOL DISTRICT 1J</b>	)	

**FINDINGS OF FACT**

(1) On January 24, 2024, Parent filed a request for due process hearing (complaint) with the Oregon Department of Education (Department) on behalf of Student.

(2) On January 25, 2024, the Department referred the hearing request to the Office of Administrative Hearings (OAH). The OAH assigned Senior Administrative Law Judge (ALJ) Kate Triana to preside over the hearing in this matter.

(3) On February 05, 2024, ALJ Triana convened a prehearing conference in this matter. Parent participated without counsel. Attorney at law Erin Burris participated on behalf of Portland School District 1J (District). ALJ Triana continued the conference to February 22, 2024 to allow Parent an opportunity to filed an amended request for hearing.

(4) Parent filed an amended request for hearing for hearing (amended complaint) on February 6, 2024.

(5) On February 13, 2024, the OAH reassigned this matter to Senior ALJ Joe L. Allen. ALJ Allen convened a second prehearing conference on February 22, 2024. Parent again participated on behalf of Student. Ms. Burris appeared for the District. At that conference, ALJ Allen scheduled this matter for hearing on May 28-30, 2024.

(6) On May 22, 2024, Parent notified the OAH via email that they no longer wished to move forward with the hearing and withdrew the amended complaint.

## ORDER

Parent's amended request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

Joe L. Allen

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Administrative Law Judge  
Office of Administrative Hearings

### APPEAL PROCEDURE

**NOTICE TO ALL PARTIES:** If you are dissatisfied with this Order you may, within 90 days after the mailing date on this Order, commence a nonjury civil action in any state court of competent jurisdiction, ORS 343.175, or in the United States District Court, 20 U.S.C. § 1415(i)(2). Failure to request review within the time allowed will result in **LOSS OF YOUR RIGHT TO APPEAL FROM THIS ORDER.**

### SERVICEMEMBERS' CIVIL RELIEF ACT

Unless otherwise stated in this order, the Office of Administrative Hearings (OAH) has no reason to believe that a party to this proceeding is subject to the Servicemembers' Civil Relief Act (SCRA). If a party to this proceeding is a servicemember who did not appear for the hearing, within the servicemember's period of service, or 90 days after their termination of service, that party should immediately contact the agency to address any rights they may have under the SCRA.

**CERTIFICATE OF MAILING**

On May 23, 2024, I mailed the foregoing FINAL ORDER OF DISMISSAL in OAH Case No. 2024-ABC-06367 to the following parties.

By: Certified Mail and Electronic Mail

[REDACTED]

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