

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

██████████,

Claimant

Reg. No. 2007-30826

Issue No. 2009

Case No: ██████████

Load No. ██████████

Hearing Date:

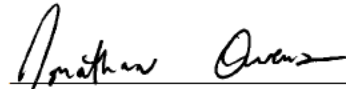
May 5, 2008

Wayne County DHS

NOTICE OF DISMISSAL

An administrative hearing was scheduled on the above-mentioned date. During the hearing, the Claimant and his representative testified that his application to SSA had been denied and he was going to appeal. After the hearing, this Administrative Law Judge discovered that the Social Security Administration (SSA) had denied the Claimant's application dated November 30, 2007 with an alleged onset date of September 28, 2006. The Claimant failed to appeal this determination. Instead, the Claimant filed a new application on June 26, 2008. Therefore, the prior determination becomes a final determination for the period in question. The medical evidence of record does not show any "other" impairments not considered by SSA nor does the record demonstrate objective findings which would show significant worsening of Claimant's condition. Based upon 42 CFR 435.541, SSA has made a final determination. Therefore, a final determination has been made on this matter. Per PEM 260, p.2-3, the Claimant's case is hereby dismissed.

Administrative Hearings' jurisdiction ends when the Social Security Administration denies the grant of benefits and an appeal of this determination is not made within 60 days. Therefore, this Administrative Law Judge does not retain jurisdiction in this matter and the Claimant's request for a hearing is DISMISSED.



Jonathan W. Owens
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Service

Date Signed 03/16/10

Date Mailed 03/16/10

NOTICE: Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

JWO/dj

cc:

