

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED],
Claimant

Reg. No: 2009-15137
Issue No: 1035; 3008
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
May 12, 2009
Kent County DHS

ADMINISTRATIVE LAW JUDGE: Jay W. Sexton

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37, upon claimant's timely request for a JET hearing (FIP and FAP) filed on January 13, 2009. After due notice, an in-person hearing was scheduled for Grand Rapids on May 12, 2009. Claimant personally appeared.

The department was represented by Sarah Thomas (FIM).

A pre-hearing conference was held with the parties. Claimant stated he did not want a hearing on the FIP and FAP issues. He simply wanted a new caseworker.

Since the Administrative Law Judge has no jurisdiction over worker assignments at the local office, a hearing was not held. Claimant walked out of the hearing room without signing a withdrawal form (DHS-18A).

MAC R 400.906 provides that the department shall dismiss a hearing request when claimant fails to pursue his hearing on the date scheduled by the department.

Therefore, it is not necessary for the Administrative Law Judge to decide the FIP/FAP issues in dispute. Pursuant to MAC R 400.906 and 400.903, claimant's hearing request is, hereby, DISMISSED.

SO ORDERED.

/s/
Jay W. Sexton
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: May 13, 2009

Date Mailed: May 14, 2009

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 receipt 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.

JWS/tg

cc:

