

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: 2009-28202

Issue No: 6000

Case No: ██████████

Load No: ██████████

Hearing Date:

June 17, 2010

Montcalm County DHS

ADMINISTRATIVE LAW JUDGE: Steven M. Brown

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon Claimant's request for a hearing. The hearing was scheduled for June 17, 2010.

On February 25, 2009, the Department mailed Claimant a Notice of State SSI Payment Change. The Notice states – "A hearing request appealing this payment change must be received within 90 days from the date of this notice or it will be dismissed as untimely." On June 1, 2009, the Department received Claimant's request for hearing – 96 days from the notice date.

Any hearing request which protests a denial, reduction, or termination of benefits must be filed within 90 days of the mailing of the negative action notice. A hearing request filed outside the 90 days cannot be heard for lack of jurisdiction.

Accordingly, Claimant's Hearing Request is HEREBY DISMISSED, it is SO ORDERED.

/s/

Steven M. Brown
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: June 21, 2010

Date Mailed: June 21, 2010

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.

SB/tg

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