

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: 2009-9808

Issue No: 3002; 3003

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

March 5, 2009

Wayne County DHS

ADMINISTRATIVE LAW JUDGE: Robert J. Chavez

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9; and MCL 400.37; upon claimant's request for a hearing filed on 12-15-09. After due notice, a hearing was held 3-05-09.

Prior to the closure of the hearing record, the Administrative Law Judge was advised that the claimant no longer has a grievance to be addressed. The Department has stipulated on the record, after due testimony had been taken, to withdraw the current proposed negative action and re-compute claimant's FAP allotment to take into account claimant's home heating credit. Furthermore, both parties agreed that should the claimant be aggrieved by the new calculations and allotment, claimant may re-file a request for hearing regarding the new calculations. Should the claimant be entitled to an increase in the original allotment, claimant's FAP shall be retroactively reestablish to the date of the negative action.

Therefore, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute. Pursuant to MAC R 400.906 and 400.903, claimant's hearing request is HEREBY DISMISSED, because claimant is no longer aggrieved by a department action.

/s/

Robert J. Chavez
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: March 9, 2009

Date Mailed: March 9, 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 60 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.

RJC 

cc:

