

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED],
Claimant
BY: Attorney Benjamin Symko

Reg. No: 2010-30469
Issue No: 1000
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
June 14, 2010
Kent County DHS

ADMINISTRATIVE LAW JUDGE: Lauren S. Harkness

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 January 19, 2010. After due notice, a hearing was held on June 14, 2010.

Prior to the closure of the hearing record, the Department's worker testified that Claimant continued to receive benefits under the Food Assistance Program and under Medicaid even though the Department had closed Claimant's cash assistance under the Family Independence Program (FIP) during the summer of 2009. The Department staff further testified that the sanction period for FIP was 12 months. The 12 month sanction period began after the Department's sanction decision was upheld by an Administrative Law Judge in a decision issued on July 7, 2009. A copy of that decision was then provided to Claimant's counsel and to the undersigned ALJ. Based upon this evidence, Claimant's counsel agreed that the January, 2010, application for benefits was submitted well before the sanction period would have been completed.

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/ _____
Lauren S. Harkness
Administrative Law Judge
for Ishmael Ahmed, Director
Department of Human Services

Date Signed: July 15, 2010

Date Mailed: July 15, 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.

LSH/sgd

cc:

