

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No: 201033185

Issue No: 6000

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

October 11, 2010

Macomb County DHS

ADMINISTRATIVE LAW JUDGE: Robert J. Chavez

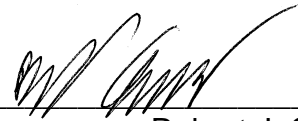
ORDER OF DISMISSAL

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. After due notice, a hearing was held on October 11, 2010.

Prior to the close of the hearing record, the Administrative Law Judge was made aware that claimant's request for hearing was not timely. The Department's negative action in the current case was taken on November 11, 2009. Claimant admitted to receiving the notice of negative action. Claimant requested a hearing on February 16, 2010. This is more than 90 days after the date of negative action.

BAM 600 requires a claimant to request an administrative hearing within 90 days of the notice of negative action. Claimant's hearing was not requested within 90 days of the negative action. Therefore, after reviewing the claimant's case file, the Administrative Law Judge has determined that there is no jurisdiction to hear the case before him.

Therefore, the Administrative Law Judge is unable to decide the matter that is in dispute. Pursuant to MAC R 400.906 and 400.903, claimant's hearing request is HEREBY DISMISSED, because the Administrative Law Judge has no jurisdiction to decide the matter at hand.



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

Date Signed: 10/18/10

Date Mailed: 10/20/10

**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.

RJC/dj

cc:

