

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.: 2011-3135  
Issue No.: 1000  
Case No.: [REDACTED]  
Load No.: [REDACTED]  
Hearing Date: January 24, 2011  
Wayne County DHS (35)

**ADMINISTRATIVE LAW JUDGE:** Robert 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 scheduled on January 24, 2011.

Prior to the opening of the hearing record, the Administrative Law Judge was made aware that had been awarded all eligible benefits. The Department's negative action in the current case had been removed, and all benefits had been restored as of December 6, 2010. Claimant admitted to receiving all benefits that he was otherwise eligible for.

BAM 600 only allows for a hearing on a negative action or a loss of benefits. There is no negative action in the current case, and no loss of benefits. 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 Chavez  
Administrative Law Judge  
For Maura Corrigan, Director  
Department of Human Services

Date Signed: 2/10/2011

20113135/RC

Date Mailed: 2/10/2011

**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.

RC/jlg

cc:

