

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: 2011365
Issue No: 4000
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
January 20, 2011
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 January 20, 2011.

Prior to the close of the hearing record, the Administrative Law Judge was made aware that the claimant was receiving SDA, and had been since the date of application. Claimant has not missed any SDA benefits for which she is legally entitled.

BAM 600 requires an actual dispute in order to hold a hearing. As the claimant is receiving SDA benefits, and has been since the date of application, there is no dispute as to whether claimant should be receiving SDA 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, as the case before him is moot.

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.



Robert J. Chavez
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 02/15/11

Date Mailed: 02/16/11

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:

