



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

Date Mailed: December 12, 2018
MAHS Docket No.: 18-011496
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: John Markey

ORDER OF DISMISSAL FOR ABANDONMENT OF HEARING

Following Petitioner's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 42 CFR 438.400 to 438.424; 45 CFR 99.1 to 99.33; and 45 CFR 205.10; and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on December 12, 2018, from Lansing, Michigan. Petitioner appeared along with her husband, [REDACTED] [REDACTED]. The Department was represented by Argentina Abney, Success Coach.

This hearing was requested to dispute the Department's action taken with respect to Petitioner's Food Assistance Program (FAP) benefits case. The Department was participating from a Department hearing room located in Detroit, Michigan. Petitioner was permitted to participate remotely via a 3-way conference call. After all parties were connected into the conference call, the case was introduced, and the parties were sworn in.

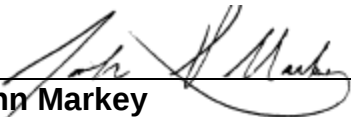
During the Department's presentation of its case, the undersigned became aware that Petitioner had disconnected from the hearing at some point. At that time, the presentation of evidence ceased, and multiple attempts were made to contact Petitioner at the phone number Petitioner provided and had been participating from at the beginning of the hearing. Each time that phone number was called, it rang a couple of times before going to an automated recording. The recording indicated that Petitioner's voicemail box was full and was no longer accepting new messages. After about seven minutes and multiple attempts to reconnect, the undersigned concluded that Petitioner abandoned the hearing. There is no indication that Petitioner attempted to contact the hearing office after disconnecting before the dismissal of the hearing request.

Petitioner abandoned the hearing before the hearing was completed, and the record was closed without taking sufficient substantive evidence to render a decision on the

contested issue. Therefore, due to the abandonment of the hearing, Petitioner's Request for Hearing is hereby **DISMISSED**.

IT IS SO ORDERED.

JM/hb


John Markey
Administrative Law Judge
for Nick Lyon, Director
Department of Health and Human Services

NOTICE OF APPEAL: A party may appeal this Order in circuit court within 30 days of the receipt date. A copy of the circuit court appeal must be filed with the Michigan Administrative Hearing System (MAHS).

A party may request a rehearing or reconsideration of this Order if the request is received by MAHS within 30 days of the date the Order was issued. The party requesting a rehearing or reconsideration must provide the specific reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MAHS. If submitted by fax, the written request must be faxed to (517) 763-0155; Attention: MAHS Rehearing/Reconsideration Request.

If submitted by mail, the written request must be addressed as follows:

Michigan Administrative Hearings
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-8139

DHHS

Denise Ezell
3040 W Grand Blvd Ste 5-450
Detroit, MI 48202

Wayne County (District 23), DHHS

Petitioner

