



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ORLENE HAWKS
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: September 19, 2019
MOAHR Docket No.: 19-007197
Agency No.: [REDACTED]
Petitioner: [REDACTED]

SUPERVISING ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

**ORDER DISMISSING REQUEST
TO VACATE SEPTEMBER 3, 2019 ORDER OF DISMISSAL**

A hearing was scheduled on August 29, 2019 in the above-captioned matter. On September 3, 2019, an Order of Dismissal was issued, dismissing the hearing due to Petitioner's failure to appear. On September 6, 2019, the Michigan Office of Administrative Hearings and Rules (MOAHR) received from Petitioner's attorney a request to vacate the order of dismissal, which contended that an adjournment request had been filed with MOAHR prior to the scheduled hearing date. Before the matter was reviewed and an order issued in response, Petitioner's counsel confirmed in a September 10, 2019 email to the Assistant Attorney General (AAG) representing the Department of Health and Human Services that he was rescinding the request to vacate and authorizing the AAG to forward his email to MOAHR. The AAG forwarded the email to MOAHR on September 10, 2019.

Because Petitioner's counsel has rescinded the request to vacate the September 3, 2019 Order of Dismissal, IT IS HEREBY ORDERED:

The request to vacate is **DISMISSED**.

AE/tm

Alice C. Elkin
Supervising Administrative Law Judge
for Robert Gordon, 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 Office Administrative Hearings and Rules.

Counsel for Respondent

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DHHS

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Counsel for Petitioner

[REDACTED]
[REDACTED]
[REDACTED]

Petitioner

[REDACTED]
[REDACTED]
[REDACTED]