



STATE OF MICHIGAN

GRETCHEN WHITMER  
GOVERNOR

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

ORLENE HAWKS  
DIRECTOR

[REDACTED]  
[REDACTED]  
[REDACTED]

Date Mailed: May 13, 2019  
MOAHR Docket No.: 19-003368  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**SUPERVISING ADMINISTRATIVE LAW JUDGE: Alice C. Elkin**

**ORDER DENYING REQUEST TO VACATE  
THE ORDER OF DISMISSAL**

On May 8, 2019, the Michigan Office of Administrative Hearings and Rules (MOAHR) received from the Department of Health and Human Services (DHHS), a request for adjournment submitted by Petitioner [REDACTED] and his authorized hearing representative (AHR) and wife, [REDACTED] to the Department on April 24, 2019. Petitioner's hearing was scheduled on May 2, 2019, and an Order of Dismissal was issued on May 6, 2019 due to Petitioner having failed to participate in the scheduled hearing. Because the adjournment request was received by MOAHR after the Order of Dismissal was issued, it was reviewed as a request to vacate the dismissal order.

In their request, Petitioner and the AHR ask that the hearing be delayed for at least 90 days because of Petitioner's health issues. A hand-written note by the DHHS worker on the request indicated that Petitioner and the AHR were no longer disputing the dismissal. The undersigned contacted the AHR via telephone to offer the opportunity for a rescheduled hearing to be conducted via 3-way telephone conference, but on the phone the AHR stated she and Petitioner were no longer pursuing the hearing and confirmed that they were not disputing the dismissal but would not be providing anything further in writing.

**NOW, THEREFORE, IT IS ORDERED** that the request to vacate the Order of Dismissal is **DENIED**.

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 of Administrative Hearings and Rules.

**DHHS**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Authorized Hearing Rep.**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Petitioner**

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