

BEFORE THE NEBRASKA DEPARTMENT OF EDUCATION

	)	Case No. 16-02 SE
	)	
	)	
	)	
Petitioner,	)	
	)	<b>ORDER OF DISMISSAL</b>
vs.	)	<b>WITHOUT PREJUDICE</b>
	)	
OMAHA PUBLIC SCHOOLS	)	
3215 Cuming Street	)	
Omaha, Nebraska 68131	)	
	)	
Respondent.	)	

On the 21<sup>st</sup> day of October, 2016, this matter came before the undersigned Hearing Officer on the Hearing Officer's Motion to Dismiss Petitioner's Petition without Prejudice.

In support of said motion, the record shows that the Petitioner failed to timely pursue Petition by not participating in scheduled Prehearing Conferences in order to schedule a due process hearing on Petitioner's Petition.

The Petitioner was to let Mr. Heil and the Hearing Officer know in writing prior to 5 pm on October 4, 2016 as to whether wanted to have a Due Process Hearing on her Petition, but failed to do so.

The Petitioner was also to let the Hearing Officer and Respondent's attorney know whether Petitioner has retained an attorney and has failed to do so.

Being duly advised in the premises, the Hearing Officer finds that the Petitioner's Petition should be dismissed without prejudice.

IT IS THEREFORE ORDERED that the Petitioner's Petition is dismissed without prejudice with each party to pay their own costs and attorneys fees, if any.



**DENNIS C. TEGTMEIER, Hearing Officer**

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was duly served via email and by U.S. Mail Certified Mail, postage prepaid and email on the 21<sup>st</sup> day of October, 2016:

Petitioner:

The undersigned hereby certifies that a true and correct copy of the foregoing was duly served on October 21, 2016 via email on:

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