

BEFORE THE NEBRASKA DEPARTMENT OF EDUCATION

SCOTTS BLUFF COUNTY SCHOOL)
DISTRICT NO. 79-0016, commonly)
known as GERING PUBLIC)
SCHOOLS, 1519 10TH Street)
Gering, NE 69341)

Case No. 18-02 SE



Petitioner,)

vs.)

, parent of)

Respondent.)

ORDER OF DISMISSAL

This matter is before the Hearing Officer on the Motion to Dismiss filed by Petitioner, Gering Public Schools. The Hearing Officer being fully advised on the premises finds that the above-captioned matter should be dismissed.

IT IS THEREFORE ORDERED that the above-captioned case is hereby dismissed, each party to pay its own costs.

Dated: June 8, 2018

Bill Morris
Bill Morris, Hearing Officer

Prepared by:

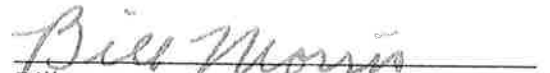
Timothy J. Malm - 24948
KSB School Law, P.C. L.L.O.
Cornhusker Plaza
301 S. 13th Street, Suite 210
Lincoln, NE 68508
Attorney for Petitioner

CERTIFICATE OF SERVICE

I certify that on June 8, 2018, I served a true and correct copy of the foregoing Order of Dismissal by first-class United States mail, postage prepaid, on the following parties:

Sara Hulac, General Counsel
Nebraska Department of Education
301 Centennial Mall South, 6th Floor
P.O. Box 94987
Lincoln, NE 68509-4987

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Bill Morris, #15124, Hearing Officer

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MOTION TO DISMISS

Petitioner, Scotts Bluff County School District No. 79-0016, commonly known as Gering Public Schools, by and through its counsel, respectfully moves that the above-captioned matter be dismissed pursuant to 004.09 of Title 92, Nebraska Administrative Code, Chapter 55 as Respondent has failed to file an Answer. Moreover Petitioner states that Respondent has completed all of the curricular requirements of the Gering Board of Education and been awarded a high school diploma and is, therefore, no longer eligible to be identified as a student with a disability pursuant to 004.03A of Title 92, Nebraska Administrative Code, Chapter 51.

WHEREFORE, Petitioner respectfully moves the Hearing Officer dismiss the Petition.

Dated this 6th day of June, 2018.

SCOTTS BLUFF COUNTY SCHOOL DISTRICT
NO. 79-0016, commonly known as GERING
PUBLIC SCHOOLS, Petitioner

BY: KSB SCHOOL LAW, P.C., L.L.O.
KAREN A. HAASE, #21003
TIMOTHY J. MALM, # 24948
301 S. 13th Street, Suite 210
Lincoln, NE 68508
(402) 804-8000

BY: 

One of Said Attorneys

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss was mailed to the following person(s) by United States mail, this 6th day of June, 2018.

Bill Morris, Esq.
4645 Normal Blvd, Ste. 272
Lincoln, NE 68506



One of Said Attorneys