

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Danbury Board of Education

Appearing on behalf of the Student: Attorney Jennifer D. Laviano
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Appearing on behalf of the Board: Attorney Christine L. Chinni
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Attorney Christine B. Spak
Hearing Officer

FINAL DECISION AND ORDER

This matter had been filed by previous counsel for the student on August 3, 2004 and refiled by previous counsel on August 17, 2004. The previous case number was 04-262. The prehearing conference in the instant matter was scheduled for August 23, 2004 with the date for mailing of the final decision set at September 30, 2004. On August 23, 2004 the parent faxed the hearing officer a letter informing her and the board counsel that she was in the process of obtaining new counsel, but referencing the prior case number (04-262) and requesting a continuance in the case. On August 26, 2004 the hearing officer responded referencing the correct case number (04-278), granting the continuance, setting a hearing date and explaining the need to schedule the hearing within forty-five days unless an appropriate request for further extension was received. The parent responded that her prior attorney had not told her of the change of case number and she did not have the address for the hearing. On September 8, 2004 the board's counsel wrote a letter requesting that the hearing officer order an evaluation. Prior to the date of hearing and prior to the ruling on the request in the letter, the parent retained new counsel (above) who withdrew the request for hearing.

FINAL DECISION AND ORDER

The matter is **DISMISSED**.