

STATE OF NORTH CAROLINA
COUNTY OF SURRY

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
15 DHR 01193

H. URQUIZA CORP., LA ESMERALDA 2,)
HERMILO URQUIZA,)
Petitioners,)
v.)
NC DEPARTMENT OF HEALTH AND)
HUMAN SERVICES, DIVISION OF PUBLIC)
HEALTH, WIC)

ORDER GRANTING SUMMARY JUDGMENT

THIS CAUSE coming on to be heard on May 22, 2015 before the Undersigned Administrative Law Judge on the Motion for Summary Judgment by the Respondent; Petitioner has filed an Amended Response and Respondent has filed a Reply to the Amended Response; and it appearing to the Undersigned that there is no genuine issue as to any material fact; and the Respondent is entitled to Summary Judgment as a matter of law.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Motion for Summary Judgment is granted in favor of Respondent.

Judgment hereby is entered for Respondent.

This decision is made under the authority of §G.S. 150B-34(e).

NOTICE

Under the provisions of North Carolina General Statute 150B-45, any party wishing to appeal the final decision or order of the Administrative Law Judge must file a Petition for Judicial Review in the Superior Court of Wake County or in the Superior Court of the county in which the party resides. **The appealing party must file the petition within 30 days after being served with a written copy of the Administrative Law Judge's Final Decision.** In conformity with the Office of Administrative Hearings' rule, 26 N.C. Admin. Code 03.012, and the Rules of Civil Procedure, N.C. General Statute 1A-1, Article 2, **this Order was served on the parties the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Final Decision.** N.C. Gen. Stat. §150B-46 describes the contents of the Petition and requires service of the Petition on all parties. Under N.C. Gen. Stat. §150B-47, the Office of Administrative Hearings is required to file the official record in the contested case with the Clerk of Superior Court within 30 days of receipt of the Petition for Judicial Review. Consequently, a copy of the Petition for Judicial Review must be sent to the Office of

Administrative Hearings at the time the appeal is initiated in order to ensure the timely filing of the record.

This the 22nd day of May, 2015.

Selina M. Brooks
Administrative Law Judge