

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
15 CPS 08771

Thomas Anthony Tyger Petitioner, v. Victim Services Janice Carmichael Respondent.	FINAL DECISION GRANTING SUMMARY JUDGMENT
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THIS CAUSE comes before the undersigned Administrative Law Judge on the Respondent's Motion for Summary Judgment and Motion for Stay Pending Ruling. An Order For Stay was entered and a Request For Response To Motion was sent to Petitioner on April 5, 2016, requesting that a response be filed by April 20, 2016. Additional extensions were given to Petitioner by Order Extending Time entered on April 12, 2016 and Second And Final Order Extending Time To Respond To Motion filed on April 25, 2016. Petitioner has not filed a Response. It appears 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-36(d).

NOTICE

Under the provisions of North Carolina General Statute 150B-45, any party wishing to appeal the final decision 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 Final Decision 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 17th Day of May, 2016.

Selina M Brooks
Administrative Law Judge