

NORTH CAROLINA

OFFICE OF ADMINISTRATIVE HEARINGS

WAKE COUNTY

15 DST 3060

SELYNA DESHAZO

Petitioner

v

NC RETIREMENT SYSTEM

DISABILITY SECTION

Respondent

ORDER FOR SUMMARY JUDGMENT

This matter coming on pursuant to the Respondent’s Motion for Summary Judgment filed herein on August 12, 2015, and it appearing to the undersigned that the Petitioner is pro se, and the Respondent is represented by Assistant Attorney General Robert M. Curran, and based upon a review of the file and the contents of the motion, there is no genuine issue of material fact, and the Respondent is entitled to judgment as a matter of law.

Respondent’s Motion for Summary Judgment is granted.

NOTICE

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

Under the provisions of N.C.G.S. § 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 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.G.S. § 1A-1, Article 2, this Final Decision was served on the parties the date it was placed in the mail as indicated on the date on the Certificate of Service attached to this Final Decision. N.C.G.S. § 150B-46 describes the contents of the Petition and requires service of the Petition on all parties. Under N.C.G.S. § 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 the 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 20th day of August, 2015.

Philip E. Berger, Jr.
Administrative Law Judge