

STATE OF NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS

COUNTY OF (1) _____

(2) _____)
(your name) PETITIONER,)
)
v.)
(3) _____)
RESPONDENT.)
(The State agency or board you are filing this matter against))

**PETITION FOR A
CONTESTED CASE HEARING
G.S. 150B-23(a4)
(Failure of Agency to Act)**

I hereby ask for a contested case hearing as provided for by North Carolina General Statute § 150B-23(a4) because the above-named agency has failed to take a required action within the time period specified by law and that my rights are substantially prejudiced by the agency's failure to act.

(4) Identify the statute and/or regulation that contains the time period (i.e., deadline)

(5) Briefly state facts showing how you believe you have been harmed by the State agency or board.

(If more space is needed, attach additional pages.)

(6) Date: _____ (7) Your phone number AND E-mail address: ()

(8) Print your full address: _____
(street address/p.o. box) (city) (state) (zip)

(9) Print your name: _____

(10) Your signature: _____

You must mail or deliver a **COPY** of this Petition to the State agency or board named on line (3) of this form. You should contact the agency or board to determine the name of the person to be served.

CERTIFICATE OF SERVICE

I certify that this Petition has been served on the State agency or board named below by depositing a copy of it with the United States Postal Service with sufficient postage affixed **OR** by delivering it to the named agency or board:

(11) _____ (12) _____
(name of person served) (State agency or board listed on line 3)

(13) _____
(street address/p.o. box) (city) (state) (zip code)

(14) This the _____ day of _____, 20____.

(15) _____
(your signature)

When you have completed this form, you **MUST** mail or deliver the **ORIGINAL** to the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh NC 27609.

INSTRUCTIONS FOR FORM H-06 G
“PETITION FOR A CONTESTED CASE” AND “CERTIFICATE OF SERVICE”

PLEASE PRINT CLEARLY OR TYPE

FILL IN BLANKS:

Fill in your county of residence on line (1), print your name on line (2), and the name of the agency or board you are filing this matter against on line (3). On line (4) enter the statutory or regulatory provision that requires the agency to act by a date certain (i.e., deadline). On line (5) briefly describe the facts and how you were harmed by the agency’s failure to act. Enter the date on line (6), your telephone number and E-mail address on line (7), your address on line (8), print your name on line (9) and sign your name on line (10).

CERTIFICATE OF SERVICE:

You must mail or deliver a copy of your completed petition to the agency or board named on line (3) and complete the “Certificate of Service” section on the petition, entering the name of the person to whom you mailed or delivered the petition on line (11). You should contact the agency or board to determine the name of the person to be served or visit the Process Agent Directory at <https://ncdoj.gov/legal-services/legal-resources/process-agent-directory/>. Print the name of the state agency involved on line (12), the address of the agency or board on line (13), the date on line (14), and sign your name on line (15).

FILING YOUR PETITION WITH THE OFFICE OF ADMINISTRATIVE HEARINGS:

Your contested case will commence as soon as you file the completed original petition, properly signed, with the Office of Administrative Hearings. Below is the mailing and physical address:

Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609

If you mail this form, the case commences when it is received and filed in this office.

You may file your petition by fax during normal business hours by faxing the petition to the Clerk's Office at (984) 236-1871.

You may file your petition by electronic mail by an attached file either in PDF format or a document that is compatible with or convertible to the most recent version of Word for Windows by sending the electronic transmission to oah.clerks@oah.nc.gov. Electronic mail without an attached file shall not constitute a valid filing.

OAH must receive the original signed document and the filing fee within seven business days following the fax or electronic transmission for the petition to be deemed "filed" on the fax or electronic transmission date.