

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL
FROM THE COMMISSIONER OF FAMILY AND COMMUNITY SERVICES**

In the Matter of	)	
	)	
S.M.T III	)	OAH No. 24-0635-SAN
_____	)	

DECISION AND ORDER OF DISMISSAL

S.M.T III requested a hearing to contest a 2024 substantiated finding of child maltreatment issued by the Office of Children's Services (OCS). By agreement of the parties, this case was held in abeyance pending related matters. In March 2026, following its seventh status report, OCS requested a case planning conference.

A case planning conference was scheduled for March 16, 2026. Despite receiving notice via email and postal mail, Mr. T failed to appear. Consequently, an order was issued rescheduling the conference to March 27, 2026. This order expressly warned Mr. T that "a continued failure to participate in scheduled proceedings may result in dismissal of his administrative appeal."

Mr. T failed to participate in the rescheduled March 27, 2026, conference. At the time of the hearing, the tribunal attempted to contact Mr. T, twice, at the telephone number he provided. On both occasions, the call went to a voicemail box that was full and unable to accept messages.

When a party requesting a hearing fails to participate in a proceeding, the administrative law judge may dismiss the case or affirm the decision being contested.¹ Because Mr. T has failed to participate in this matter or communicate with the OAH to explain his unavailability, even after express notice that failure to appear would lead to dismissal, he is deemed to have abandoned his hearing request. Accordingly, this matter is dismissed, and OCS's 2024 substantiated finding of maltreatment remains in effect.

DATED: March 27, 2026.

Signed

Eric M. Salinger
Administrative Law Judge

¹ 2 AAC 64.320(a).

Adoption

The undersigned, by delegation from of the Commissioner of Family and Community Services, adopts this Decision, under the authority of AS 44.64.060(e)(1), as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 24th day of April, 2026.

By: Signed
Name: Eric M. Salinger
Title: Administrative Law Judge

[This document has been modified to conform to the technical standards for publication. Names may have been changed to protect privacy.]