

STATE OF WISCONSIN

BEFORE

THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of the Expulsion from
the Stanley-Boyd Area Schools of
DAVID K [REDACTED],

ORDER
DISMISSING
APPEAL

Appellant

FINDINGS OF FACT AND CONCLUSIONS OF LAW

On September 21, 1979, this office issued an order denying appellant's motion for temporary relief pendente lite on the grounds stated therein. Said order further directed a briefing schedule as to the merits of this appeal in the following terms:

"It is further ordered that appellant's brief or statement of position as to the merits of this matter be served and filed no later than October 8, 1979. Respondent's reply brief or statement of position shall be filed no later than October 22, 1979. Appellant's rebuttal material, if any, shall be served and filed no later than October 29, 1979."

The record reflects that since the date of said order, appellant has failed to file any brief or statement of position as to the merits of this case or to otherwise contact this office respecting this matter. It is therefore the determination of the State Superintendent of Public Instruction that appellant has failed to prosecute his case with due diligence. Accordingly, this appeal must be dismissed with prejudice for appellant's failure to prosecute.

BY THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION: so ordered.

Dated and mailed this 19th day of December, 1979.

Barbara Thompson
Barbara Thompson
State Superintendent