

MAINE SCHOOL ADMINISTRATIVE DISTRICT 63

v.

COMMISSIONER OF THE DEPARTMENT OF EDUCATION et al.

Argued November 9, 2009  
Decided December 8, 2009

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, SILVER, MEAD, and  
GORMAN, JJ.

MEMORANDUM OF DECISION

Maine School Administrative District 63 appeals from a judgment of the Superior Court (Kennebec County, *Jabar, J.*) denying its request to lift a stay of administrative proceedings imposed by the Commissioner of the Department of Education. Subsequent to oral argument in this matter, the Commissioner of the Department of Education, acting sua sponte, has lifted the stay of administrative proceedings and has scheduled the requested hearing to be held within the next thirty days.<sup>1</sup> Thus, the relief requested in the appeal has been ordered by action of the Commissioner of the Department of Education. Because no decision on this appeal would afford the appellant any relief in addition to that already ordered by the Commissioner of the Department of Education, the appeal must be dismissed as moot. *See In re Janna Lynn M.*, 2002 ME 45, ¶ 12, 793 A.2d 506, 509.

The entry is:

Appeal dismissed.

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<sup>1</sup> The Commissioner of Education has filed a motion to dismiss this appeal. That motion has been opposed by M.S.A.D. 63.

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