



FH  
[REDACTED]

**STATE OF WISCONSIN  
Division of Hearings and Appeals**

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In the Matter of

Milwaukee Enrollment Services  
, Petitioner

DECISION

v.

FOF/172553

[REDACTED] Respondent

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**PRELIMINARY RECITALS**

Pursuant to a petition filed March 08, 2016, under Wis. Admin. Code §HA 3.03, and see, 7 C.F.R. § 273.16, to review a decision by the Milwaukee Enrollment Services to disqualify [REDACTED] from receiving FoodShare benefits (FS) for a period of one year , a hearing was held on April 29, 2016 at Milwaukee, Wisconsin. Petitioner failed to appear for the hearing and the hearing was held with testimony of the petitioner and exhibits entered into the record. A Decision sustaining the IPV finding was issued on May 3, 2016 by this ALJ. On May 21, 2016, respondent requested a rehearing in writing stating that he did not receive the hearing notice for the initial hearing. A new hearing was scheduled for June 15, 2016 and new notice was sent to respondent. Respondent failed to appear for the second hearing.

**PARTIES IN INTEREST:**

Petitioner:

Department of Health Services  
Division of Health Care Access and Accountability  
1 West Wilson Street, Room 651  
Madison, Wisconsin 53703

By: [REDACTED]  
Milwaukee Enrollment Services  
1220 W Vliet St, Room 106  
Milwaukee, WI 53205

Respondent:

[REDACTED]  
[REDACTED]  
[REDACTED]

**ADMINISTRATIVE LAW JUDGE:**

John P. Tedesco  
Division of Hearings and Appeals

**ORDERED**

Based on respondent's failure to appear for the scheduled rehearing on this matter, the initial record of the hearing held on April 29, 2016 shall remain as the record of the hearing in this matter. Based on that record, the petitioner's determination is **sustained** and the previously ordered sanction shall be effective the first month following the date of receipt of this Decision.

**REQUEST FOR A REHEARING ON GROUNDS OF GOOD CAUSE FOR FAILURE TO APPEAR**

In instances where the good cause for failure to appear is based upon a showing of non-receipt of the hearing notice, the respondent has 30 days after the date of the written notice of the hearing decision to claim good cause for failure to appear. See 7 C.F.R. sec. 273.16(e)(4). Such a claim should be made in writing to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875.

**APPEAL TO COURT**

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, Madison, WI 53703, **and** on those identified in this decision as “PARTIES IN INTEREST” **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing request (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Madison,  
Wisconsin, this 22nd day of June, 2016

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\sJohn P. Tedesco  
Administrative Law Judge  
Division of Hearings and Appeals



**State of Wisconsin \DIVISION OF HEARINGS AND APPEALS**

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5005 University Avenue  
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The preceding decision was sent to the following parties on June 22, 2016.

Milwaukee Enrollment Services  
Public Assistance Collection Unit  
Division of Health Care Access and Accountability  
[REDACTED]