#553-10A (SBE Decision: http://www.state.nj.us/education/legal/examiners/2006/dec/0405-252.pdf)

STATE BOARD OF EXAMINERS DOCKET NO. 0405-252; COMMISSIONER APPEAL NO. 6-10/10A

IN THE MATTER OF THE	:	COMMISSIONER OF EDUCATION
REVOCATION OF THE TEACHING	:	DECISION ON APPEAL FROM THE
CERTIFICATES OF TROY HYLICK.	:	STATE BOARD OF EXAMINERS

Decided by the New Jersey State Board of Examiners on December 11, 2006 For the Appellant, Michael A. Armstrong, Esq. For the Respondent, New Jersey Attorney General (Shannon M. Ryan, D.A.G.)

On October 7, 2010, appellant filed with the Commissioner a notice of appeal from an order of the State Board of Examiners (the Board) revoking his teaching certificates/endorsements. By letter dated October 18, 2010, the Director of the Bureau of Controversies and Disputes (the Director) notified appellant that his notice of appeal was deficient because he failed to provide proof that he served it upon the Attorney General – counsel for the Board. An amended notice of appeal was submitted – with proof of service on the Attorney General – on October 21, 2010.

On November 4, 2010, counsel for the Board submitted a list of items comprising the record on appeal of this matter, and on November 30, 2010 an amended statement of items was filed. After reviewing same, the appellant concluded that he did not have some of the identified documents. He consequently asked for an extension of time until December 10, 2010 to file his brief in order that he might first acquire and examine said documents. The extension was granted on November 10, 2010, but on December 8, 2010 – before appellant's brief was due – his counsel submitted a "letter in lieu of a more formal pleading," requesting that the appeal be withdrawn. Upon consideration, the Commissioner grants the request and the appeal is hereby withdrawn.

IT IS SO ORDERED.¹

ACTING COMMISSIONER OF EDUCATION

Date of Decision:December 28, 2010Date of Mailing:December 30, 2010

¹ Pursuant to *P.L.* 2008, *c.* 36 (*N.J.S.A.* 18A:6-9.1), Commissioner decisions are appealable to the Appellate Division of the Superior Court.