

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF HUMAN SERVICES

**In the Matter of the Immediate
Suspension of the Family Child Care
License of Margaret Rahn**

**RECOMMENDATION ON
WITHDRAWAL OF APPEAL**

This matter came on for hearing before Administrative Law Judge Steve M. Mihalchick on August 31, 2000 at the Office of Administrative Hearings, Minneapolis, Minnesota. The matter was to reconvene on September 25, 2000, for additional testimony. However, on that morning, counsel for Licensee notified the Administrative Law Judge by telephone that Licensee had decided to withdraw her appeal. The Administrative Law Judge then cancelled the remainder of the hearing. Licensee's withdrawal was confirmed in a letter from her attorney received by the Administrative Law Judge on September 29, 2000.

Vicki Vial-Taylor, Assistant Hennepin County Attorney, 525 Portland Avenue South, 12th Floor, Minneapolis, Minnesota, 55415 appeared on behalf of the Department of Human Services. Tina Hudak Appleby, Allan H. Capland & Associates, P.A., 525 Lumber Exchange Building, 10 South 5th Street, Minneapolis, Minnesota, 55402 appeared on behalf of Licensee Margaret Rahn.

Based upon Licensee's Withdrawal of her Appeal of the Immediate Suspension of her Family Day Care License, the Administrative Law Judge makes the following:

RECOMMENDATION

IT IS HEREBY RESPECTFULLY RECOMMENDED:

That the Commissioner of Human Services DISMISS the Appeal of Margaret Rahn and AFFIRM the Immediate Suspension of her Family Child Care License.

Dated October 3, 2000.

STEVE M. MIHALCHICK
Administrative Law Judge

NOTICE

This Report is a recommendation, **not** a final decision. The Commissioner of Human Services, will make the final decision after a review of the record. The Commissioner may adopt, reject or modify the Findings of Fact, Conclusions, and Recommendations. Under Minn. Stat. § 14.61, the final decision of the Commissioner of Human Services shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Commissioner of Human Services. Parties should contact Michael O'Keefe, Commissioner of Human Services, 444 Lafayette Road, St. Paul, MN 55155 to ascertain the procedure for filing exceptions or presenting argument.

Taped: Transcript prepared by Mary Ann Hintz, Court Reporter.