21 NCAC 14D .0105 CRITERIA FOR REOPENING A CASE

The Board shall make a decision on whether to reopen the petitioner's case based upon the merits of the petition or other pertinent information in the Board's possession. In determining whether to grant such motions, the Board shall consider the Guidelines for Resolving Scheduling Conflicts adopted by the State-Federal Judicial Council of North Carolina accessible at https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-guidelines.pdf?sfvrsn=d9bafe07_0. Motions to reopen must be in writing and received in the office of the Board no less than 14 calendar days before the hearing date. A motion to reopen filed less than 14 calendar days from the date of the hearing shall be denied unless the reason for the motion could not have been ascertained earlier. Motions for continuance shall be ruled on by the Board chair or designated presiding officer. A copy of the decision will be sent to the petitioner and made a part of the permanent record of the contested case.

History Note: *Authority G.S. 150B-38;*
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;
Readopted Eff. April 1, 2026.