

YVONNE HOULE, BILLIE JO OPPELT,)
SARAH SCHMASOW, & KIM SMITH,)
CHARGING PARTYS,)

CASE NOS. 0009008982, 0009008954
9901008915, 0009008964

v.)

ORDER AFFIRMING HEARING EXAMINER'S
DENIAL OF RESPONDENT'S MOTION FOR
CONTINUANCE AND HEARING OFFICER'S
ENTRY OF DEFAULT AGAINST RESPONDENT,
AND ADOPTING HEARING EXAMINER'S
DECISION AS FINAL AGENCY DECISION

GREAT FALLS NATIVE AMERICAN CENTER,)
Respondent.)

The above-captioned matter came before the Montana Human Rights Commission (Commission) on October 23, 2000. The matter was before the Commission on Respondent's Notice of Appeal of the Final Agency Decision of June 12, 2000, and "all orders entered prior to that decision." In its brief, Appellant limited its appeal to the issue of "whether the hearings examiner properly denied the appellant's motion to continue the contested case hearing which was set for May 23, 2000, and entered its default." Oral argument was requested and the matter was considered, without transcript, on the record. The sole issue on appeal was the propriety of the denial of appellant's May 15, 2000, Motion to Continue Hearing.

After reviewing the record and hearing the parties' arguments, the Commission finds that the hearing examiner properly denied Respondent's motion for continuance in his May 19, 2000, Order Entering Default and Addressing Scope of Hearing. Respondent having failed to challenge the entry of default, and having failed to argue the substance of the Final Agency Decision, the Commission voted unanimously to adopt the hearing examiner's decision as its final order.

IT IS HEREBY ORDERED, that the hearing examiner's decision is adopted as the final order of the Commission.

Dated this __ day of <month>, <year>.

Gloria "Patt" Etchart, Chair, Montana Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned employee of the Human Rights Bureau certifies that a true copy of the foregoing **«document name»** was served on the following persons by U. S. Mail, postage prepaid on the _____ day of «month», «year».

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