

**04 NCAC 24C .0215 NEW FILING AFTER WITHDRAWAL OF APPEAL**

A party who has withdrawn their appeal pursuant to 04 NCAC 24C .0214 may file a new appeal of the determination by the Adjudicator consistent with 04 NCAC 24C .0203. The refiled appeal shall be scheduled for hearing before an Appeals Referee consistent with G.S. 96-15(c). Either the DES or a party may raise the issue of timeliness if the refiled appeal is received after the appeal rights to the determination have expired. The issue of timeliness shall be determined in accordance with G.S. 96-15(b)(2).

*History Note: Authority G.S. 96-4; 96-15;  
Eff. July 1, 2018;  
Amended Eff. June 1, 2022.*