

21 NCAC 57C .0104 PETITION TO REOPEN PROCEEDING

(a) After a final decision has been reached by the Board in a contested case, a party may petition the Board to reconsider a case. Petitions will not be granted except when the petitioner can show that the reasons for reconsidering the case are to introduce newly discovered evidence which was not presented at the initial hearing because of some justifiable, excusable or unavoidable circumstance. Upon the running of the 30 day period for seeking judicial review, such petitions will have no effect. Petitions for reopening the proceedings shall not toll the 30 days available for seeking judicial review, as provided in G.S. 150B-45.

(b) Decisions on petitions to reopen cases are within the discretion of the Board.

*History Note: Authority G.S. 93E-1-10;
 Eff. July 1, 1994;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,
 2017.*