

**COMMONWEALTH OF MASSACHUSETTS
DIVISION OF ADMINISTRATIVE LAW APPEALS**

Middlesex, ss.

Sofia Namatovu,
Petitioner,

Docket No.: OC-25-0559

v.

Department of Early Education and Care,
Respondent.

ORDER OF DISMISSAL

The Petitioner, Ms. Namatovu, appealed the Department of Early Education and Care's denial of her application for a childcare license based on its conclusion that a household member, Mr. Nalima, was not a suitable candidate. On February 17, 2026, the Division of Administrative Law Appeals sent an order requiring the parties to attend an evidentiary hearing on June 5, 2026. However, that morning, counsel for Ms. Namatovu e-mailed to say he was ill and asked to reschedule the hearing. That request was allowed without objection from the Department. The parties then jointly reported back that they were available on July 2, 2026—a date suggested by Petitioner's counsel. I rescheduled the hearing for July 2, 2026 and sent out a new WebEx invitation by e-mail. On July 2, 2026, the Department was present, on-line, with its witness; however, neither the Petitioner nor her counsel appeared. I did not receive any communication explaining their absence.

Thus, on July 6, 2026, I sent an order to show cause asking counsel to explain why the case should not be dismissed for failure to prosecute. I indicated that if no valid explanation was provided, the appeal would be dismissed. I did not receive a response from the Petitioner's counsel. Although I could have dismissed the case at that juncture, I was hesitant to do so in case the Petitioner was not aware of the case status. Thus, I issued a second order to show

cause on August 10, 2026, but this time sent a copy to the Petitioner. However, neither the Petitioner nor counsel responded to this order either.

Accordingly, the matter is now *dismissed* for failure to prosecute.

/s/ Eric Tennen

Dated: September 9, 2026

Eric Tennen
Administrative Magistrate
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