

**STATE OF INDIANA
BEFORE THE FIRE PREVENTION AND BUILDING
SAFETY COMMISSION**

IN RE:)	CAUSE NO.
)	
MSD OF PIKE TWP.)	DHS-1606-FPBSC-003
)	
)	

**NOTICE OF SUBSTITUTION OF ADMINISTRATIVE LAW JUDGE
AND NON-FINAL ORDER OF DISMISSAL**

The undersigned has been appointed to succeed Hon. David L. Carter as the Administrative Law Judge in this matter.

The name, official title, mailing address, and phone number for the undersigned are as follows:

Hon. Chelsea E. Smith
Administrative Law Judge
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Room E208
Indianapolis, IN 46204
Telephone: (317) 234-8917
Fax: (317) 232-0146
E-mail: chesmith2@dhs.in.gov

Motions and pleadings should be filed with the ALJ at the address shown above. As an alternative to the U.S. Mail, service may be made upon the ALJ by facsimile copy or by electronic mail. Parties are cautioned, however, that while service through the U.S. Mail may be perfected upon mailing, service by facsimile copy or by electronic mail is perfected only upon actual receipt.

A copy of each motion or pleading must also be served upon all parties of record or their attorneys. The parties to this action are the Petitioner, White County Building and Planning Department, and the Respondent, the Indiana Department of Homeland Security. The attorney for Petitioner is Abigail Diener and the attorney for Respondent is Justin Guedel.

The ALJ has taken notice of the prior orders and proceedings in the record for this matter.

On January 9, 2017, the parties in the above-captioned matter filed a Joint Motion to Dismiss, stating that they had resolved the matter by obtaining a variance from the Fire Prevention and Building Safety Commission at its January 4, 2017 meeting.

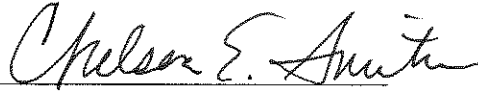
The Administrative Law Judge therefore enters this Non-Final Order of Dismissal. The ultimate authority in this matter is the Fire Prevention and Building Safety Commission. Indiana

Code § 4-21.5-3-29(d) requires any party seeking to preserve an objection to this order for judicial review to file a written objection that

1. identifies the basis of the objection with reasonable particularity; and
2. is filed with the Commission within fifteen days (or any longer period set by statute) after this order is served.

In the absence of an objection from a party or notice from the Commission of its intent to review any issue related to this order, the Commission shall affirm this order in accordance with Indiana Code § 4-21.5-3-29(c). **This order will be considered by the Commission on March 7, 2017, at 9:00 a.m. (EDT), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.**

Date: February 9, 2017



HON. CHELSEA E. SMITH
Administrative Law Judge
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A copy of the foregoing was served by U.S. Postal Service upon the following parties and attorneys of record:

Chief Alan Kasper
MSD of Pike Twp. Police Dept.
5401 W. 71st Street
Indianapolis, IN 46268

and personally served on the following attorney of record:

Justin Guedel
Staff Attorney
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Room E208
Indianapolis, IN 46204