



**STATE OF INDIANA
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**

FILED: Feb 6, 2024

**Zionsville Fire Department,
Petitioner,**

v.

**Indiana Department of Homeland Security,
Respondent.**

Administrative Cause No.: DHS-2401-000173

Underlying Agency Action No.:

Variance #24-01-05

Ultimate Authority: Indiana Fire Prevention and Building Safety Commission

FINAL ORDER OF DISMISSAL

On February 6, 2024 Petitioner filed its Request to Withdraw Appeal. On February 6, 2024 Counsel for the Indiana Department of Homeland Security filed its Notice of No Objection to Appellant's Request to Withdraw Appeal. As a result thereof, Petitioner's request is granted, and this matter is dismissed.

The ultimate authority in this matter is the Fire Prevention and Building Safety Commission (Commission). The Commission has authorized the Administrative Law Judge (ALJ) assigned by the Office of Administrative Law Proceedings to serve as the ultimate authority and thereby issue final orders of dismissal where the parties file a joint or agreed request to dismiss the appeal. The undersigned ALJ therefore issues this final order dismissing the above captioned matter with prejudice. In accordance with Ind. Code § 4-15-10.5-12(b) and as expressly designated by the Indiana Department of Homeland Security in a memorandum of understanding, the OALP's order disposing of this matter is final. Accordingly, the telephonic status conference set for Wednesday, February 21, 2024 at 4:00 p.m. is hereby vacated.

So Ordered: February 6, 2024

Tracey Yeager, Administrative Law Judge
Indiana Office of Administrative Law Proceedings

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