

**STATE OF INDIANA
CIVIL RIGHTS COMMISSION**

DOCKET NO. PAre05040238

REV. TRESA M. SALYER,
Complainant,

vs.

FILE DATED

MAR 28 2008

Indiana State Civil Rights Commission

**ADAMS COUNTY – PARKS AND
RECREATION, DOROTHY
FAUROTE, ADAMS COUNTY
COIN CLUB, CITY OF DECATUR,
and COUNTY OF ADAMS;**
Respondents.

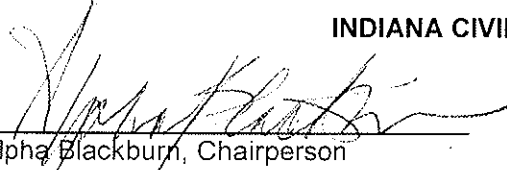
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

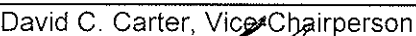
On March 12, 2008, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

No objections have been filed to the ICRC's adoption of the proposed decision.

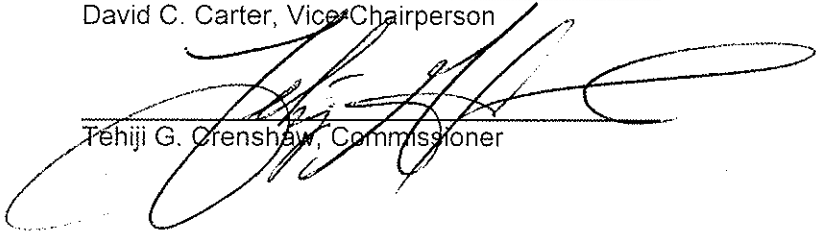
Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

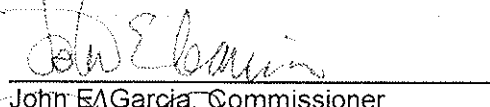
INDIANA CIVIL RIGHTS COMMISSION

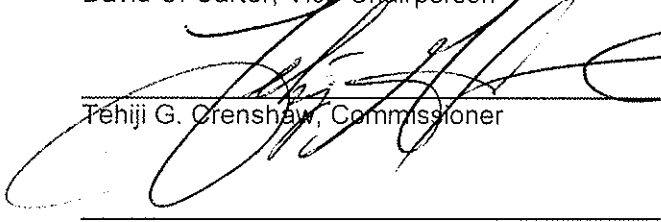

Alpha Blackburn, Chairperson

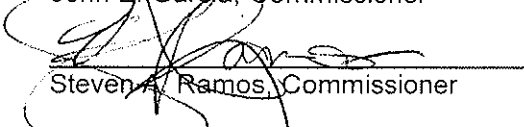

David C. Carter, Vice Chairperson


Barry Baynard, Commissioner


Tehiji G. Orenshaw, Commissioner


John E. Garcia, Commissioner


Charles D. Gidney, Commissioner


Steven A. Ramos, Commissioner

Dated: 28 March 2008

To be served by first class mail on the following parties and attorneys of record:

Rev. Tresa M. Salyer
2795 North Dixie Highway
Lima, OH 45801

Adams County – Parks and Recreation
c/o Chief Executive Officer
231 East Monroe Street
Decatur, IN 46733

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Dorothy Faurote
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Thomas Wade Sheets, Esq.
Attorney for Respondents Dorothy Faurote and Adams County Coin Club
157 North Second Street
P.O. Box 528
Decatur, IN 46733

City of Decatur
c/o Chief Executive Officer
225 West Monroe Street
Decatur, IN 46733

County of Adams
c/o Chief Executive Officer
313 West Jefferson Street
Decatur, IN 46733

and to be personally served on the following attorney of record:

Joshua S. Brewster, Esq.; Staff Attorney
Indiana Civil Rights Commission
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

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ADAMS COUNTY – PARKS AND
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MAR 12 2008

Indiana State Civil Rights Commission

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER**

On March 11, 2008, Complainant, Rev. Tresa M. Salyer ("Salyer"), filed her Agreed Motion To Dismiss, a motion to which Respondents – Adams County – Parks and Recreation ("the County"), Dorothy Fraurote ("Fraurote"), Adams County Coin Club ("the Club"), City of Decatur, and County of Adams ("the County") - have not responded.

Having carefully considered the foregoing and being duly advised in the premises the undersigned Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC") proposes that the ICRC enter the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. Salyer's complaint alleges that, in April of 2005, she was precluded from renting a booth at a monthly flea market because of religion. COMPLAINT OF DISCRIMINATION (April 13, 2005).

2. The County disputes Salyer's claim of unlawful discrimination. ANSWER (June 3, 2005).
3. Fraurote and the Club also dispute Salyer's claim of unlawful discrimination. ANSWER TO COMPLAINT (September 14, 2005).
4. Salyer's Motion is expressly motivated by a settlement.
5. There is no evidence of fraud, coercion, duress, or any other reason not to approve the requested dismissal.
6. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

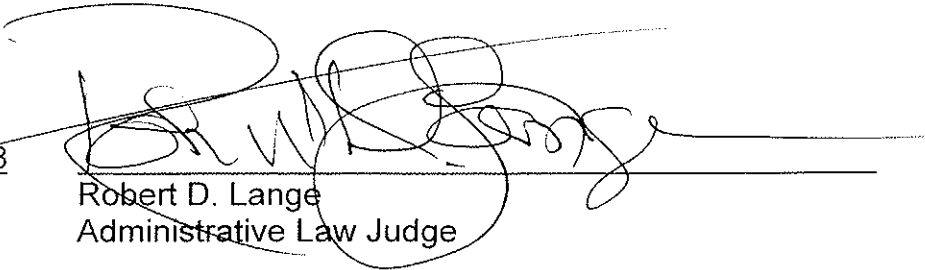
CONCLUSIONS OF LAW

1. The ICRC has jurisdiction over the subject matter and the parties.
2. Settlement is a favored resolution and should be encouraged.
3. Administrative review of this proposed decision may be obtained by the filing of a writing specifying with reasonable particularity each basis for each objection within 15 days after service of this proposed decision. IC 4-21.5-3-29(d).
4. Any Finding Of Fact that should have been deemed a Conclusion Of Law is hereby adopted as such.

ORDER

1. Salyer's Agreed Motion To Dismiss is **GRANTED**.
2. Salyer's complaint, as amended, is **DISMISSED**, with prejudice.

Dated: 12 March 2008



Robert D. Lange
Administrative Law Judge

To be served by first class mail this 12th day of March, 2008 on the following parties and attorneys of record:

Rev. Tresa M. Salyer
2795 North Dixie Highway
Lima, OH 45801

Adams County – Parks and Recreation
c/o Chief Executive Officer
231 East Monroe Street
Decatur, IN 46733

HUNT SUEDHOFF KALAMAROS LLP
BY: James J. Shea, Jr., Esq. and Linda A. Polley, Esq.
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County of Adams
c/o Chief Executive Officer
313 West Jefferson Street
Decatur, IN 46733

and to be personally served this 12th day of March, 2008 on the following:

Joshua S. Brewster, Esq.; Staff Attorney
Indiana Civil Rights Commission
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

Indiana Civil Rights Commission
c/o The Honorable Gregory Kellam Scott, Esq.; Director
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255