

BEFORE THE INDIANA STATE BOARD OF NURSING

04-011
 STATE OF INDIANA)
)
 Petitioner,)
 vs.)
)
 DELTONA TIBBETS-FIGLIOLA, R.N., N.P.)
)
 Respondent.)

CASE NO. 2004 NB 0049

FILED

OCT 28 2004

HEALTH PROFESSIONS BUREAU


MOTION TO DISMISS

Respondent, by counsel, moves the Indiana State Board of Nursing to dismiss Petitioner's Complaint on grounds the issue of licensing is now a moot point, and in support thereof states:

1. On August 27, 2004, Respondent resigned her nursing license to the State of Indiana as such the State of Indiana has no jurisdiction over the Respondent.
2. The Complaint in this matter was filed before the Board on October 21, 2004.

WHEREFORE, the Respondent, by counsel, respectfully requests the Complaint filed by the State of Indiana be dismissed and for all other relief just and proper in the premises.

Respectfully submitted,
 MARCUS LAW FIRM
 Attorneys for Respondent

By: 
 Cynthia A. Marcus, #18408-49


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served upon:

Sara Matticks
Indiana Attorney General's Office
Indiana Government Center South
402 West Washington Street, Fifth Floor
Indianapolis, IN 46204-2770

by first class, United States mail, postage prepaid, this 28th day of October, 2004.



Cynthia A. Marcus