

**STATE OF INDIANA  
BUREAU OF MOTOR VEHICLES**

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IN THE MATTER OF:	)	Case No. BMV-2212-002656
B ■ M ■	)	
DLN: ■	)	

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FINAL ORDER

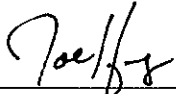
1. On February 15, 2023, B ■ M ■ (“Petitioner”), filed an objection to the Non-Final Order of Dismissal by Administrative Law Judge Lakeesha Triggs (“ALJ”) at the Office of Administrative Law Proceedings (“OALP”). Petitioner requests a new hearing be scheduled in this matter.
2. On December 14, 2022, Petitioner requested review of the Indiana Bureau of Motor Vehicles’ (“BMV”) (“Respondent”) decision to deny her request for a driving credential.
3. The matter was referred to ALJ Triggs at OALP for review under Indiana Code § 4-21.5-3-7(a).
4. On December 19, 2022, Petitioner was notified by email that a telephonic pre-hearing conference was scheduled on January 4, 2023, at 11:00 A.M. The notice stated that “failure to appear at the hearing at the scheduled time, without reasonable notice in writing and good cause shown, may result in a default or a dismissal of the case.”
5. On January 4, 2023, a telephonic an initial pre-hearing was held. The Petitioner did not appear.
6. On January 4, 2023, the ALJ issued a notice of proposed dismissal. In the order it stated that “petitioner has seven days to file a motion requesting a final order of dismissal not be imposed and stated the ground relied upon for the request. If no appropriate motion is filed, the ALJ will enter an order of dismissal pursuant to Ind Code 4-21-5-3-24”
7. On February 8, 2023, the ALJ issued a non-final order of dismissal because “more than seven (7) days have passed since the notice of proposed dismissal was entered and no such motion has been filed with the Office of Administrative Law Proceedings.”
8. On February 15, 2023, Petitioner sent an email to BMV hearing email inbox stating that they would like to request a new hearing because they were unable to open the link and could not reach anyone to help them at the BMV office.

9. The BMV is unable to verify Petitioner's claim that they were unable to open the link or get assistance, therefore, Pursuant to I.C. 4-21.5-3-29(b), I hereby AFFRIM the ALJ's February 8, 2023, Recommended Order.

10. Petitioner is hereby notified that this is a Final Order. Petitioner may seek judicial review of this Final Order pursuant to I.C. 4-21.5-5.

SO ORDERED.

3/22/23  
Date

  
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Joe B Hoage, Commissioner  
Indiana Bureau of Motor Vehicles

Written notice of this order shall be provided to:

Petitioner

Indiana Bureau of Motor Vehicles