

STATE OF INDIANA
BEFORE THE FIRE PREVENTION AND BUILDING
SAFETY COMMISSION

IN RE:)	CAUSE NO.
)	
INDIANA GRAND)	DHS-1612-FPBSC-009
STABLES)	
)	

NON-FINAL ORDER OF DISMISSAL

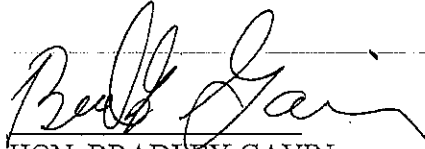
On October 31, 2016, the parties, through counsel, filed the attached Joint Motion to Dismiss, thereby jointly requesting that the above-captioned administrative appeal be dismissed.

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 December 6, 2016, at 9:00 a.m. (EST), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.**

Date: Oct. 31, 2016


HON. BRADLEY GAVIN
Administrative Law Judge
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Rm E208
Indianapolis, IN 46204

A copy of the foregoing was served by U.S. Postal Service upon the following parties and attorneys of record:

John S. Keeler
Attorney for Petitioner
111 Monument Circle, Suite 777
Indianapolis, IN 46204

and personally served on the following attorney of record:

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

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BY: KJA

JOINT MOTION TO DISMISS

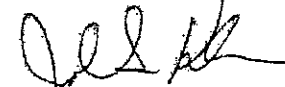
The parties, through counsel, respectfully request the above captioned matter be dismissed. In support of this request, the parties state the following:

1. On June 8, 2016, Respondent served an Inspection Report Order on Petitioner.
2. On June 17, 2016, Petitioner filed a Petition for Review regarding certain violations contained in the Inspection Report Order.
3. On July 8, 2016, the Fire Prevention and Building Safety Commission granted the Petition for Review.
4. Following the grant of the review, Petitioner has remedied, or obtained variances for, all challenged violations, rendering this appeal moot.

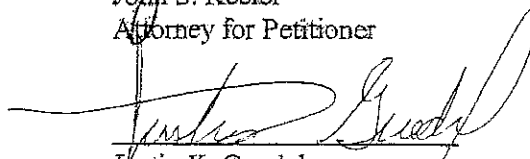
WHEREFORE, the parties respectfully request this matter be dismissed.

Date: 10/28/16

Respectfully submitted,



John S. Keeler
Attorney for Petitioner



Justin K. Guedel
Attorney for Respondent

