

STATE OF INDIANA
BEFORE THE FIRE PREVENTION AND BUILDING
SAFETY COMMISSION

IN RE:)	CAUSE NO.
)	
MASS AVE FAMILY)	DHS-1724-FPBSC-017
DENTISTRY)	
)	
)	

**INITIAL PREHEARING ORDER AND
NON-FINAL ORDER OF DISMISSAL**

A telephonic prehearing conference was held in this matter on August 2, 2017 at 1:00 p.m. (EDT). Present for the prehearing conference were Carrie Ballinger on behalf of the Petitioner, Mass Ave Family Dentistry, and Doug Bruce for the Respondent, the City of Indianapolis. **In accordance with Indiana Code § 4-21.5-3-19(c), the Administrative Law Judge (ALJ) issues this Initial Prehearing Order incorporating such matters as were determined during the prehearing conference.**

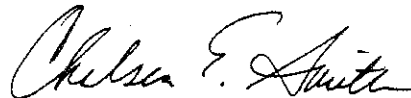
The Petitioner in this matter appealed an order issued by Respondent, which cited Petitioner for violating Section 1103.1 of the 2014 Indiana Building Code. During the prehearing conference, Petitioner advised that it sought a variance with respect to the application of this rule and the variance was recently approved. Petitioner therefore requested dismissal of this appeal, as the issue has been resolved.

Accordingly, the Administrative Law Judge now 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 September 7, 2017 at 9:00 a.m. (EDT), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.**

Date: August 2, 2017



HON. CHELSEA E. SMITH

Administrative Law Judge

Indiana Department of Homeland Security

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Indiana Government Center South, Rm E208

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

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and personally served on the following attorney of record:

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