



FILED: Feb 6, 2023

**STATE OF INDIANA
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**

FINAL AGENCY AUTHORITY: Fire Prevention and Building Safety
Commission

The Parker Company,

Petitioner,

V.

Indiana Department of Homeland Security,

Respondent.

Administrative Cause No.: DHS-2204-000625

Underlying Agency Action No.: 3129-3612

NON-FINAL RECOMMENDED ORDER OF DISMISSAL

A Notice of Proposed Dismissal was entered in this matter on January 25, 2023, which proposed the dismissal of this case due to Petitioner's failure to appear at a scheduled evidentiary hearing.¹ The Notice was served on Petitioner on January 25, 2023 by email giving Petitioner seven (7) days from the date of the Notice of Proposed Dismissal to file a motion requesting a final order of dismissal not be imposed and stating the ground relied upon for the request. More than seven 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. Pursuant to Ind. Code 4-21.5-3-24(c), the ALJ issues this non-final recommended order dismissing this case with prejudice.

This order is not final. This matter is now before the ultimate authority, the Fire Prevention and Building Safety Commission, who has the final authority over this matter and shall review this recommended order then issue a final order to all parties.

If you wish to raise an objection to this order, you must file an objection, in writing, within fifteen (15) days after service of this order. If served only by mail, however, three (3) days will be added to this period to object. See Ind. Code § 4-21.5-3-2 for how to compute the period to object. Your objection must identify the basis of the objection with reasonable particularity and be filed with the ultimate authority by one of the following methods:

Email at: buildingcommission@dhs.in.gov

Personal service or mail to:

Fire Prevention and Building Safety Commission

Indiana Department of Homeland Security

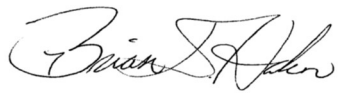
302 W. Washington Street, Room E-208

Indianapolis, IN 46204.

¹ The ALJ incorporates by reference the findings and conclusions in the Notice of Proposed Dismissal in this Order.

This order will become final if you do not file an objection in accordance with these requirements and you waive your right to judicial review. See 140 Ind. Admin. Code 1-1-11(a) and Ind. Code § 4-21.5-5-4(b). If a timely and appropriate objection is filed, the ultimate authority will review the matter and issue a final order or remand this matter back to the Office of Administrative Law Proceedings for additional proceedings.

SO ORDERED: February 6, 2023



Brian D. Hahn, Administrative Law Judge
Indiana Office of Administrative Law Proceedings

Distribution List:

The following distribution list includes the names and mailing addresses of all known Parties and other persons to whom notice is being given. IC 4-21.5-3-18.

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