



FILED:
December
15, 2025

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

Darius Pulliam, Complainant, V. The Shyft Group, Inc., Respondent.	Administrative Cause No.: ICRC-2507-003147 Underlying Agency Action No.: Emra24010060
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CORRECTED FINAL ORDER ON NOTICE OF WITHDRAWAL

PROCEDURAL HISTORY & JURISDICTION

The Commission of the Indiana Civil Rights Commission ("ICRC") has subject matter jurisdiction over employment discrimination complaints based on race that are filed under the Indiana Civil Rights Law ("ICRL"). IND. CODE § 22-9-1-2; IND. CODE § 22-9-1-6. On July 31, 2025, the ICRC, after conducting a neutral investigation, made a probable cause finding on Darius Pulliam's January 26, 2024, complaint that alleged Respondent violated the Indiana Civil Rights Law ("ICRL") by discriminating against Darius Pulliam in the protected area of employment on the basis of race. When a finding of cause is made under the ICRL, pursuant to the Commission's June 19, 2020, Finding of Necessity, the Office of Administrative Law Proceedings ("OALP") shall appoint an Administrative Law Judge ("ALJ") to preside over the matter and to conduct a hearing. IND. CODE § 22-9-1-6; IND. CODE § 4-15-10.5-12; IND. CODE § 4-15-10.5-13.

ISSUE

Is Complainant's Motion to Dismiss effective in dismissing this matter?

FINDINGS OF FACT

1. The Motion was filed on December 10, 2025.
2. As represented in the Motion, Complainant no longer wishes to pursue this matter in the administrative forum. As a result, Complainant requests that this matter be dismissed.
3. The Motion was served on all Parties before a Notice of Hearing was issued.
4. There is no evidence of fraud, coercion, duress, or any other reason not to grant the requested dismissal.

CONCLUSIONS OF LAW


1. The Commission has jurisdiction over the subject matter and the Parties. IND. CODE § 22-9-1-2; IND. CODE § 22-9-1-3; IND. CODE § 22-9.5-5-5.
2. A Complainant can withdraw an ICRC complaint by filing a Notice of Withdrawal with the Commission. 910 IAC 1-2-6.
3. A Notice of Withdrawal is a written statement made by the Complainant in which the Complainant requests that the matter be closed. *Id.* The Notice of Withdrawal must be served on all Parties. *Id.*
4. If a hearing has been set, then the majority of the Commission must agree to the withdrawal before the withdrawal is effective in closing the matter. *Id.*
5. However, if a hearing has not been set, then the Notice of Withdrawal filed by a Complainant is immediately effective in closing the matter as of the date of filing. *Id.*
6. Complainant filed Complainant's Motion prior to the setting of a hearing in this matter, and Complainant's Motion complies with 910 IAC 1-2-6.
7. Accordingly, this matter is dismissed pursuant to IND. CODE § 4-21.5-3-27(a).

DECISION

Having duly considered the above, the undersigned Administrative Law Judge ("ALJ") for the Office of Administrative Law Proceedings ("OALP") hereby orders as follows:

1. Complainant's Motion to Dismiss is GRANTED.
2. Darius Pulliam's January 25, 2024, Complaint is DISMISSED, without prejudice.
3. Either Party to a dispute filed under IC 22-9 may, not more than thirty (30) days after the date of receipt of this final appealable order, appeal to the court of appeals under the same terms, conditions, and standards that govern appeals in ordinary civil actions. IND. CODE § 22-9-8-1.

SO ORDERED: December 15, 2025



Hon. Natalie Fierek, Administrative Law Judge
Indiana Office of Administrative Law Proceedings
100 North Senate Ave., Room N802

Indianapolis, IN 46204
(317) 234-6689

Distribution List:

Complainant, Darius Pulliam, served by US Mail at 58083 Valley View Drive, Elkhart, IN 46517

ICRC Staff Attorney, Tracey Richardson, served by email at trichardson1@icrc.in.gov

Respondent, The Shyft Group, Inc. served by counsel Blaine Veldhuis, Jordan Florian by email at veldhuis@butzel.com, Florian@butzel.com