



ISSUED:
Jul 7, 2023

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

FINAL AGENCY AUTHORITY: Fire Prevention and Building Safety
Commission

**Direct from China Fireworks, LLC,
Petitioner,
V.
Department of Homeland Security,
Respondent.**

Administrative Cause No.: DHS-2306-001717
Order No.: FR19663C

NON-FINAL ORDER OF DISMISSAL

On June 30, 2023, the Petitioner filed a Motion to Withdraw Request for Hearing as Moot for the above-captioned matter. After reviewing the Motion, the Administrative Law Judge now enters this Non-Final Order of Dismissal and hereby vacates any hearing or deadlines set in this matter.

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 with the Fire Prevention and Building Safety Commission within fifteen (15) days after the service of this order. The objection must be in writing and must identify the basis for the objection with reasonable particularity.

In the absence of an objection from a party or notice from the Fire Prevention and Building Safety Commission of its intent to review any issue related to this order, the Fire Prevention and Building Safety Commission shall affirm this order in accordance with Ind. Code § 4-21.5-3-29(c). **The Fire Prevention and Building Safety Commission will consider this Non-Final Order of Dismissal on 8/1/2023 at 9:00 AM.** The location of the meeting is a hybrid meeting, to be held virtually via Microsoft Teams and in-person at: Indiana Government Center - South, Conference Rooms 1 & 2. Additional information can be found at the Board's web page (<https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/>) in advance of the meeting date.

So Ordered: July 7, 2023

Mary K. Sinn
Administrative Law Judge
Indiana Office of Administrative Law Proceedings

Distributed to Parties:

John Brooke, Counsel for Petitioner, served via email at jbrooke@bslawgroup.com

Indiana Department of Homeland Security, Respondent, served on counsel, Tyler Burgauer, via email at tyburgauer@dhs.in.gov

Fire Prevention and Building Safety Commission, Ultimate Authority, served via email at DuDyer@dhs.IN.gov.