

**STATE OF INDIANA  
BEFORE THE FIRE PREVENTION AND  
BUILDING SAFETY COMMISSION**

<b>IN RE:</b>	)	<b>CAUSE NO.</b>
	)	
<b>BROOKVILLE PARK 52</b>	)	<b>DHS-1723-FPBSC-016</b>
	)	
	)	
	)	

**AMENDED NON-FINAL ORDER OF DISMISSAL**


A status conference was held in this matter on August 16, 2017 at 2:00 p.m. (EDT). Present for the status conference were Roger Curry on behalf of the Petitioner, and Chief Courtney Gordon and Deputy Chief David Carpenter on behalf of the Respondent. During the status conference, the parties advised that this appeal is now moot because the Respondent did a re-inspection of the Petitioner's property and found that the Petitioner is not in violation of the code sections listed in the Order. The parties therefore agreed that dismissal of this case is appropriate.

**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 Ind. Code § 4-21.5-3-29(c). **This order will be considered by the Commission on October 3, 2017 at 9:00 a.m. (EDT), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.**

Date: September 12, 2017

  
HON. CHELSEA E. SMITH  
Administrative Law Judge  
Indiana Department of Homeland Security  
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A copy of the foregoing was served by U.S. Postal Service upon the following parties and attorneys of record:

Roger Curry  
Brookville P-52 LLC  
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Chief Courtney Gordon  
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and personally served on the following attorney of record:

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