

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

IN RE:)	CAUSE NO.
)	
BURKET EDUCATIONAL)	DHS-1726-FPBSC-019
CENTER)	
)	
)	

NON-FINAL ORDER OF DISMISSAL

The parties in this matter met for a telephonic status conference on December 6, 2017 at 9:00 a.m. (EST). Present for the status conference were Todd Glenn and Blaine Connolly for the Petitioner, and Justin Guedel for the Respondent. During the status conference, the parties advised that the Petitioner requested a variance from the Commission and it granted the variance at its meeting on December 5, 2017. The parties further advised that the granting of this variance resolved all of the issues in this appeal and requested that the ALJ therefore dismiss the appeal.

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 January 3, 2018 at 9:00 a.m. (EST), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.**

Date: December 6, 2017


HON. CHELSEA E. SMITH
Administrative Law Judge
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Rm E208
Indianapolis, IN 46204
Telephone: (317) 234-8917
E-mail: chesmith2@dhs.in.gov

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

Todd Glenn
Director of Maintenance
Tippecanoe Valley School Corporation
8343 South State Road 19
Akron, IN 46910

and personally served on the following attorney of record:

Justin K. Guedel
Attorney for the Respondent
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Room E208
Indianapolis, IN 46204
jguedel@dhs.in.gov