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STATE OF INDIANA BEFORE THE FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LEGAL AND CODE SERVICES

IN RE:)	CAUSE NO.	
CULVER COVE CONDOMINIUMS		DHS-1816-FPBSC-015	
CONDOMINIUMS)		

NON-FINAL ORDER OF DISMISSAL

On November 26, 2018, the parties submitted the attached Joint Motion to Dismiss. 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 December 3, 2018 at 9:00 a.m. (EDT), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.

Date: November 27, 2018

HON. CHELSEA E. SMITH

Administrative Law Judge

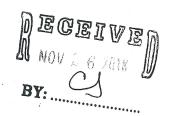
Indiana Department of Homeland Security

302 W. Washington Street

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Indianapolis, IN 46204

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STATE OF INDIANA BEFORE THE FIRE PREVENTION AND BUILDING SAFETY COMMISSION

IN RE:)	CAUSE NO.	
CULVER COVE LAKESIDE)	DHS-1816-FPBS	C-015
CONDOMINIUMS)		1

JOINT MOTION TO DISMISS

The parties respectfully request the above captioned matter be dismissed. In support of this request, the parties state the following:

- 1. On October 2, 2018, Respondent performed an inspection of Petitioner's facility and issued an inspection report order citing three code violations.
- 2. On October 03, 2018, Petitioner filed their petition for review of violation number 1 of the October 2, 2018 Inspection Report Order, for violating section 907.8.5 of the 2014 Indiana Fire Code.
- 3. Upon further review, this violation was complied, rendering this review moot. WHEREFORE, the parties respectfully request this matter be dismissed with prejudice. Respectfully submitted,

Petitioner

Attorney for Respondent

Date: 11/26/18

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

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and personally served on the following attorney of record:

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