

OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS

Administrative Cause No.: DHS-0521-001045
Underlying/State Agency Action No.: 1851-2062

FairBridge Inn Express,
Petitioner,

v.

Indiana Department of Homeland Security,
Respondent.

NON-FINAL ORDER OF DISMISSAL

After issuing a Proposed Order of Dismissal on May 27, 2021, and granting Petitioner's request to reschedule, this matter was re-set for a telephonic initial prehearing conference on June 16, 2021, at 2:00 p.m. (EST). The Petitioner, again, failed to appear for the initial prehearing conference. The undersigned Administrative Law Judge (ALJ) and Respondent's counsel waited from approximately 2:00 p.m. until 2:16 p.m. and then went on the record. While on the record, Respondent's counsel requested dismissal, and the ALJ granted the request and issued a second Proposed Order of Dismissal on June 17, 2021. The Petitioner had seven (7) days to respond to the Proposed Order of Dismissal, which was served to the Petitioner by e-mail and U.S. Mail. The Petitioner did not file a response; accordingly, the ALJ hereby issues this Non-Final Order of Dismissal.

Indiana Code § 4-21.5-3-29(d) requires any party seeking to preserve an objection to this order for judicial review to file the objection with the 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 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). **The Commission will consider this Non-Final Order of Dismissal at its next regularly scheduled meeting on July 7, 2021 at 9:00 a.m.** at the Indiana State Library, Room 211, 315 W. Ohio Street, Indianapolis, IN 46202.

So Ordered: June 25, 2021



Hon. Chelsea E. Root, Administrative Law Judge
Indiana Office of Administrative Law Proceedings

Distribution List:

Sanjay Patel

Representative for Petitioner
FairBridge Inn Express
6225 William Keck Bypass
Mount Vernon, IN 47620
Mtvhotel6225@gmail.com
Via Email and U.S. Mail

Justin Guedel

Counsel for Respondent
Indiana Department of Homeland Security
302 W. Washington Street, Room E-208
Indianapolis, IN 46204
jguedel@dhs.in.gov
Via Email

Fire Prevention and Building Safety Commission

Ultimate Authority
buildingcommission@dhs.in.gov
Via Email