

STATE OF INDIANA
DEPARTMENT OF HOMELAND SECURITY

FILED
OCT 07 2019
SPECIAL SERVICES
ALJ

IN THE MATTER OF:)
)
SUNMAN'S LANDING) CAUSE NO.: DHS-1911-FPBSC-011
)
)

NON-FINAL ORDER OF DISMISSAL

This matter came before the Administrative Law Judge ("ALJ") on Sunman's Landing's ("Petitioner's") and the Indiana Department of Homeland Security's ("Respondent's") Joint Motion to Dismiss ("Motion").

The ALJ, having read the Motion and being duly advised in the premises, now finds the Motion should be granted.

IT IS ORDERED, ADJUDGED, AND DECREED that the Motion is granted and this cause is dismissed with prejudice.

DATE: October 7, 2019

Donald L. Hannah

DONALD L. HANNAH
Administrative Law Judge
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CERTIFICATE OF SERVICE

I certify that on October 7, 2019, I served the foregoing Non-Final Order of Dismissal on the following persons at the addresses shown below by Email.

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DONALD L. HANNAH

STATE OF INDIANA
BEFORE THE FIRE PREVENTION AND BUILDING
SAFETY COMMISSION

IN RE:

Sunmeir's Landing

) CAUSE NO.
)
)
)

DHS-1911-FPBSC-011

**AGREED ORDER AND
JOINT MOTION TO DISMISS**

The parties respectfully request the petition for review of Order Number BU30147-080119, filed on August 5, 2019 by Julie Riley, be dismissed. In support of this request, the parties state the following:

1. On May 15, 2019, Respondent performed an inspection of Petitioner's facility and issued an inspection report order citing 4 code violations that were required to be corrected by Petitioner.
2. On August 1, 2019, Respondent issued Petitioner a \$250 civil penalty for failing to correct violation number 4 of the May 15, 2019 inspection report.
3. On August 5, 2019, Petitioner filed their petition for review of the civil penalty.
4. On September 9, 2019, Respondent issued Petitioner another \$250 civil penalty for failing to correct violation number 4 of the May 15, 2019 inspection report.
5. On September 23, 2019, the parties were able to informally resolve this case and agreed to

the following:

Respondent will waive the civil penalties issued on August 5, 2019 and September 9, 2019, if Petitioner obtains a construction design release (as required by violation number 4 of the May 15, 2019 inspection report order) by no later than November 1, 2019.

WHEREFORE, the parties respectfully request this matter be dismissed with prejudice.

Respectfully submitted,

Julie Riley

Julie Riley
Petitioner

Justin Guedel

Justin Guedel,
Attorney for Respondent

Date: 9-30-19