

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

IN RE:)	CAUSE NO.
)	
ALTERNATIVE TWO,)	DHS-1503-FPBSC-003
LLC)	
)	

NON-FINAL ORDER OF DISMISSAL

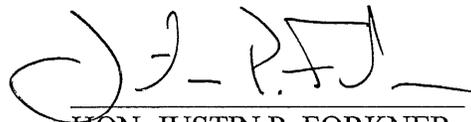
On March 11, 2015, the Respondent in the above-captioned matter filed a Motion to Dismiss because the Respondent has revoked the Fire and Building Code Enforcement Inspection Order underlying this matter. There is therefore no longer a violation of that order from which the Petitioner must seek administrative review.

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 Indiana Code § 4-21.5-3-29(c). **This order will be considered by the Commission on May 6, 2015, at 9:00 a.m. (EST), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.**

Date: March 13, 2015



HON. JUSTIN P. FORKNER
Administrative Law Judge
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Rm W246
Indianapolis, Indiana 46204
Telephone: (317) 234-8917
Fax: (317) 232-0146
E-mail: jforkner@dhs.in.gov

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

Thomas F. O'Gara, Esq.; Counsel for Alternative Two
TAFT STETTINIUS & HOLLISTER LLP
One Indiana Square
Suite 3500
Indianapolis, IN 46204

and personally served on the following attorney of record:

Pamela M. Walters, Esq.; Staff Attorney
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Room W246
Indianapolis, IN 46204