

**STATE OF INDIANA
CIVIL RIGHTS COMMISSION**

**LARRY FULLINGTON,
and
JOSEPH R. MARCUM;**

Complainants,

v.

CLAUDEEN CRUMP,
Respondent.

**DOCKET NO. HOha11050232
HUD NO. 05-11-1016-8
DOCKET NO. HOha11050233
HUD NO. 05-11-1015-8**

FILE DATED

JUL 20 2012

INDIANA CIVIL RIGHTS COMMISSION

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On June 27, 2012, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

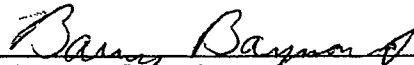
No objections have been filed to the ICRC's adoption of the proposed decision.

Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

INDIANA CIVIL RIGHTS COMMISSION



COMMISSIONER



COMMISSIONER



COMMISSIONER



COMMISSIONER

Dated: 20 July 2012

To be served by first class mailon the following parties and attorneys of record:

Larry Fullington
1602 Ringold Avenue Apt 3
Indianapolis, IN 46203-2703

Joseph R. Marcum
1602 Ringold Avene Apt 3
Indianapolis, IN 46203-2703

FLEMING STAGE, LLC
BY: Robin C. Clay, Esq.
Attorneys for Complainants Larry Fullington and Joseph R. Marcum
PO Box 68411
Indianapolis, IN 46204

Claudeen Crump
5411 Jackson Street
Indianapolis, IN 46241

BROWN TOMPKINS LORY & MASTRIAN
BY: Christopher C. Wyant, Esq.
Attorneys for Respondent Claudeen Crump
608 East Market Street
Indianapolis, IN 46202

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INDIANA CIVIL RIGHTS COMMISSION

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

On June 25, 2012, Complainants, Larry Fullington and Joseph R. Marcum (collectively "Complainants"), filed Complainants' Motion To Dismiss, a Motion to which Respondent, Claudeen Crump("Crump"), has not responded.

Having carefully considered the foregoing and being duly advised in the premises, the undersigned Administrative Law Judge for the Indiana Civil Rights Commission ("ICRC") proposes that the ICRC enter the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. These proceedings began when Complainants filed complaints with the ICRC alleging that they had been evicted from residential real estate by Crump because of race and/or disability.

2. Crump denied that Complainants were unlawfully evicted.
3. The Motion is expressly motivated by settlement.
4. There is no evidence of fraud, coercion, duress, or any other reason not to approve of the requested dismissal.
5. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

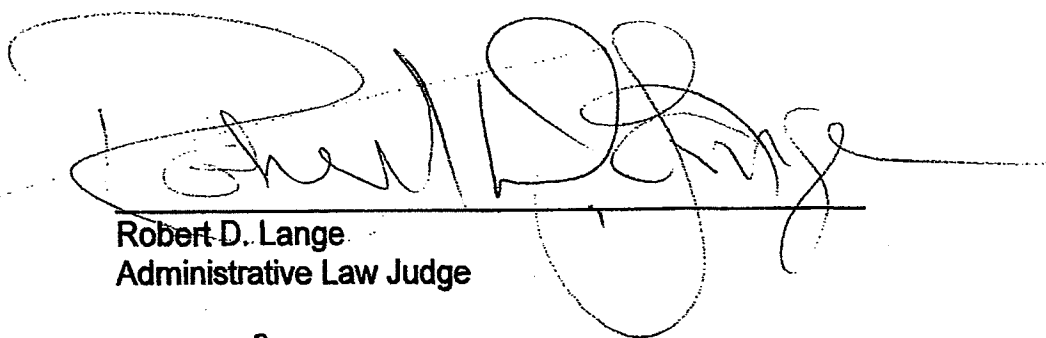
CONCLUSIONS OF LAW

1. The ICRC has jurisdiction over the subject matter and the parties.
2. Settlement is a favored resolution and should be encouraged.
3. Administrative review of this proposed decision may be obtained by the filing of a writing identifying with reasonable particularity each basis of each objection within 15 days after service of this proposed decision. IC 4-21.5-3-29(d).
4. Any Finding Of Fact that should have been deemed a Conclusion Of Law is hereby adopted as such.

ORDER

1. Complainants' Motion To Dismiss is **GRANTED**.
2. The Final Pre-Hearing Conference that had been scheduled for July 16, 2012 and the Hearing that had been scheduled for August 8, 2012 are **CANCELLED**.
3. Complainants' complaints are **DISMISSED**, with prejudice.

Dated: 27 June 2012



Robert D. Lange
Administrative Law Judge

To be served by first class mail this 27th day of June, 2012 on the following parties and attorneys of record:

Larry Fullington
1602 Ringold Avenue Apt 3
Indianapolis, IN 46203-2703

Joseph R. Marcum
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5411 Jackson Street
Indianapolis, IN 46241

BROWN TOMPKINS LORY & MASTRIAN
BY: Christopher C. Wyant, Esq.
Attorneys for Respondent Claudeen Crump
608 East Market Street
Indianapolis, IN 46202

and to be served by electronic mail this 27th day of June, 2012 on the following:

Jamal L. Smith, Executive Director
Indiana Civil Rights Commission

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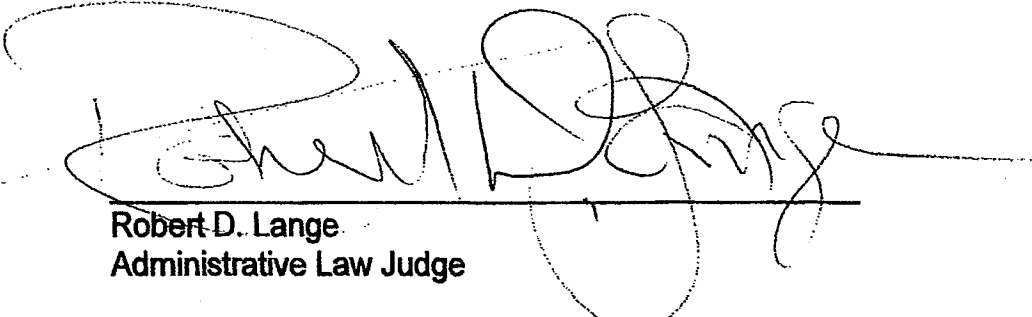
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