

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
MOTION TO DISMISS**

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MAY 09 2005

COUNTY OF JACKSON,)
)
Complainant,)
)
v.)
)
ELWOOD GLASPER and)
TONY GLASPER,)
)
Respondents.)

STATE OF ILLINOIS
Pollution Control Board

AC 05 - 068
Site Code: 0778005012

**COMPLAINANT'S MOTION TO VOLUNTARY
DISMISS ADMINISTRATIVE CITATION**

The Complainant, the County of Jackson, by and through its attorney, Assistant State's Attorney, Daniel Brenner, hereby requests this matter be dismissed voluntarily without prejudice in accordance with Board Rules 101.500 and 101.508. In support of this motion, the following is stated:

1. Complainant on or about April 25, 2005, filed an Administrative Citation action against the above-named Respondents.
2. Proof of service of the Administrative Citation action was effectuated on Respondent, Tony Glasper, on April 25, 2005, and the proof of service was filed initially along with the Administrative Citation action.
3. Service on the Respondent, Elwood Glasper, has not been effectuated.
4. Due to recent developments involving ownership and control of the site in question, the Complainant has decided, for now, to take another approach toward the goal of site clean up using other means or action against different respondents.
5. To the best of Complainant's knowledge this matter has not been assigned to a hearing officer.

WHEREFORE, the Complainant respectfully requests the Pollution Control Board to dismiss this matter without prejudice as to this site and to these respondents with respect to any issue the Board has jurisdiction, now or in the future.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dan Brenner", written over a horizontal line.

Daniel Brenner
Assistant State's Attorney
Jackson County Courthouse, 3rd Floor
Murphysboro, Illinois 62966
618-687-7200

PROOF OF SERVICE

I hereby certify that I did on the 6th day of May 2005, send by U.S. Mail, with postage thereon fully prepaid, by depositing in U.S. Post Office Box a true and correct copy of the following instrument(s) entitled COMPLAINTANT'S MOTION TO VOLUNTARY DISMISS ADMINISTRATIVE CITATION:

To: Tony Glasper
11728 Hwy. 4
Ava, Illinois 62907

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by U.S. Mail with postage thereon fully prepaid.

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601



Daniel Brenner
Assistant State's Attorney
Jackson County Courthouse, 3rd Floor
Murphysboro, IL 62966
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