

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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DEC 11 2006

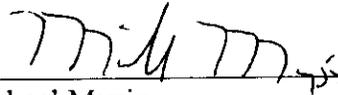
STATE OF ILLINOIS  
Pollution Control Board

County of Ogle,	)	
	)	
Complainant,	)	
	)	
v.	)	AC# 07-19
	)	
Michael Johnson	)	
	)	
Respondent.	)	

NOTICE OF FILING

TO: Michael Johnson  
7244 E. Grist Mill Rd.  
Chana, IL 61015

PLEASE TAKE NOTICE that I have filed with the Office of the Clerk of the Illinois Pollution Control Board a Motion to Dismiss, a copy of which is herewith served upon you.



Michael Myzia  
Ogle County Assistant State's Attorney

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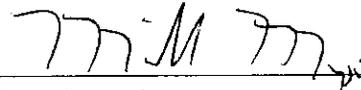
COUNTY OF OGLE )  
 )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 MICHAEL JOHNSON )  
 )  
 )  
 Respondent. )

AC# 07-19

MOTION TO DISMISS

NOW COMES Complainant, County of Ogle, to move to dismiss this action in its entirety based on the criminalization of the fact pattern that gave rise to the instant administrative citation. The People of the State of Illinois have filed Ogle County Case Number 06CM656, alleging a violation of 415 ILCS 5/44 (p) (1) (b).

Respectfully submitted,



Michael Myzia  
Ogle County Assistant State's Attorney

DATED: December 6, 2006

Michael Myzia  
Assistant State's Attorney  
P.O. Box 395  
Oregon, IL 61061  
(815) 732-1170

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STATE OF ILLINOIS  
Pollution Control Board

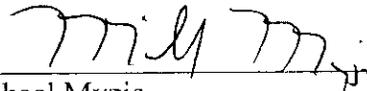
ATTORNEY'S CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, depose and say that I am an attorney and served the foregoing instruments upon the within named:

Michael Johnson  
7244 E. Grist Mill Rd.  
Chana, IL 61015

Dorothy M. Gunn, Clerk of the Board  
Illinois Pollution Control Board  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601

by sealing a true and correct copy of the same in an envelope, addressed as shown above, with sufficient United State postage and by depositing said envelope, so sealed and stamped, in the United States Mail in Oregon, Illinois on the 6<sup>th</sup> day of December, 2006.



Michael Myzia  
Assistant State's Attorney

Ogle County State's Attorney's Office  
ASA Michael Myzia  
P.O. Box 395  
Oregon, IL 61061