

Electronic Filing: Received, Clerk's Office 1/4/2017

JACKSON COUNTY STATE'S ATTORNEY

Michael C. Carr, State's Attorney



Jackson County Courthouse • 1001 Walnut • Third Floor • Murphysboro, IL 62966
(618) 687-7200 • FAX (618) 687-7215

Wednesday, January 04, 2017

Mr. Don Brown
Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Re: County of Jackson v. Clover, AC 2017-003
Motion to Withdraw and Dismiss
Administrative Citation

Dear Clerk:

Enclosed for filing with the Board is the Complainant's Motion to Withdraw and Dismiss Administrative Citation and a Proof of Service. Please acknowledge receipt and filing of the enclosed materials. Thank you.

Sincerely,

MICHAEL C. CARR
Jackson County State's Attorney

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

DANIEL BRENNER
Assistant State's Attorney
Jackson County, Illinois

encl.

cc: Carol Webb, Hearing Officer
Gary Clover, Respondent
Jackson County Health Department

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 17-3
)	Site Code: 0778145117
GARY CLOVER,)	
)	
Respondent.)	

COMPLAINANT’S MOTION TO WITHDRAW AND DISMISS ADMINISTRATIVE CITATION

NOW COMES the Complainant, the County of Jackson, (“County”), by and through its attorney, Assistant State’s Attorney, Daniel Brenner, and pursuant to Section 101.500 of the Illinois Pollution Control Board’s (“Board”) Rules and Regulations, 35 Ill. Adm. Code 101.500, hereby moves the Board for an order allowing the Complainant to withdraw and dismiss its administrative citation in the above captioned matter; and in support hereof, the Complainant respectfully states as follows:

1. On October 6, 2016, the Pollution Control Board issued an Order acknowledging the Complainant’s filing of an administrative citation in this matter and the Respondent’s filing of its petition to contest the administrative citation; and assigned the matter for further proceedings to a hearing officer.

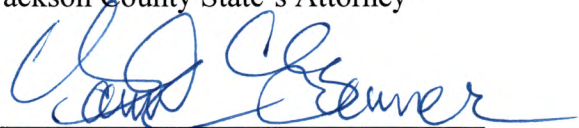
2. On December 29, 2016, Complainant inspected the Respondent’s site and found it to be cleaned up and in compliance with the open dumping laws.

3. Complainant advised the Hearing Officer and the Respondent that it would file a motion to withdraw and dismiss its administrative citation.

WHEREFORE, the Complainant respectfully requests its administrative citation in this matter be withdrawn and dismissed; and the proceedings be closed.

Respectfully submitted,

MICHAEL C. CARR
Jackson County State's Attorney



DANIEL BRENNER
Assistant State's Attorney
Jackson County Courthouse, Third Floor
Murphysboro, IL 62966
618-687-7200
dbrenner@jacksoncounty-il.gov

For the Complainant

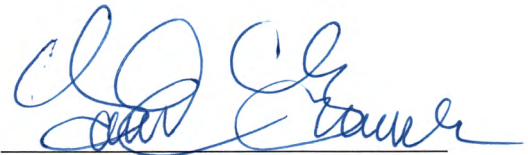
PROOF OF SERVICE

I hereby certify that I did on the 4th day of January 2017, 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 WITHDRAW AND DISMISS ADMINISTRATIVE CITATION.

"@" Consents to electronic service in lieu of US Mail Service

To: Carol Webb @
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274
Carol.Webb@illinois.gov

Gary Clover
1336 Hoffman Road
Murphysboro, Illinois 62966



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