

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
ADMINISTRATIVE ADJUDICATION DIVISION**

RE: SHERER, MARK H.

AAD No. 01-001/F&WA

FINAL ORDER OF DISMISSAL

This matter came before the Hearing Officer for a prehearing conference on March 7, 2003. Applicant failed to comply with the Prehearing Order or otherwise apprise the Hearing Officer of his inability to appear at said prehearing conference. On March 7, 2003, this Hearing Officer issued a Conditional Order of Dismissal affording Applicant until March 17, 2003 to show good cause in writing why a Final Order of Dismissal should not enter and the denial of his request to transfer a Summer Flounder Landing Exemption Certificate become final. As of the date of this order, no objection to the Conditional Order of Dismissal has been received, nor has any correspondence been received by the Administrative Adjudication Division in response to the Conditional Order of Dismissal.

Therefore, it is hereby

ORDERED

That the appeal of Mark Sherer from a denial of a transfer of a Summer Flounder Landing Exemption Certificate is DISMISSED, with prejudice.

Entered as an Administrative Order this 19th day of March, 2003.

Kathleen M. Lanphear
Chief Hearing Officer
Administration Adjudication Division
235 Promenade Street, Third Floor
Providence, RI 02908
(401) 222-1357

Entered as a Final Agency Order this 21st day of March 2003.

Jan H. Reitsma
Director
Department of Environmental Management
235 Promenade Street, Fourth Floor
Providence, Rhode Island 02908

CERTIFICATION

I hereby certify that I caused a true copy of the within Order to be forwarded by first-class mail, postage prepaid, to Nicole J. Cournoyer, Esquire, Revens, Revens & St. Pierre, 946 Centerville Road, Warwick, RI 02886 and Gary Powers, DEM - Division of Fish & Wildlife, Oliver Stedman Government Center, 4808 Tower Hill Road, Wakefield, RI 02879; via interoffice mail to: Gerald McAvoy, Esquire, Legal Services, 235 Promenade Street, 4th Floor, Providence, RI 02908, on this _____ day of March, 2003.
