

June 15, 2010

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

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ORDER SUMMARILY DISMISSING APPEAL

SUBJECT: Department of Development and Environmental Services File No. **A09F0014**

GURCHARAN MALHI

Fee Appeal

Location: 19406 – 116th Avenue SE

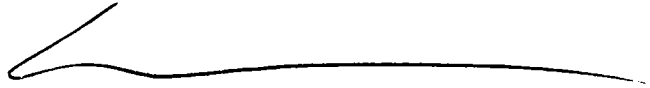
Appellant: **Gurcharan Malhi**
19406 – 116th Avenue SE
Renton, Washington 98058
Telephone: (206) 478-0633

King County: Department of Development and Environmental Services (DDES)
represented by **Lisa Dinsmore**
900 Oakesdale Avenue SW
Renton, Washington 98055
Telephone: (206) 296-7171
Facsimile: (206) 296-7051

1. Respondent DDES filed a Motion to Dismiss the subject fee appeal, based on its assertion that Appellant Malhi failed to file a statement of appeal required by KCC 20.24.090(C) and 27.50.060(A).
2. KCC 20.24.090(F) provides that “failure to timely file a...statement of appeal deprives the examiner of jurisdiction to consider the appeal.” KCC 20.24.095 provides that “the examiner shall dismiss an appeal for...lack of jurisdiction.”
3. Appellant Malhi was provided an opportunity to respond to the motion by Hearing Examiner order issued May 3, 2010, which established a response deadline of May 13, 2010. No response has been received, and more than sufficient time has been provided to allow for any other communication from Appellant Malhi in furtherance of his appeal.

4. No substantive statement of appeal is evident from the record presented to the Examiner.
5. Appellant Mahli, the moving party in this matter, has not submitted a timely substantive statement of appeal and has failed to prosecute his appeal by responding to the motion. The APPEAL is accordingly DISMISSED for lack of prosecution.

ORDERED June 15, 2010.



Peter T. Donahue
King County Hearing Examiner

NOTICE

County code provides that the Hearing Examiner decision on fee appeals under Chapter 27.50 KCC is the final decision of the county. This summary dismissal order constitutes the county's final decision in this matter.

PTD:vsm
A09F0014