

IN THE MATTER OF
JEFFREY A. SCHALER,
Appellant

v.

ANIMAL MATTERS HEARING BOARD
Appellee

* BEFORE THE
* HOWARD COUNTY
* BOARD OF APPEALS
* CASE NO. BA 731-D
*

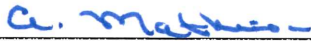
ORDER

Upon consideration of Appellee Animal Matters Hearing Board's Preliminary Motion to Dismiss, Appellant Jeffrey A. Schaler's Response thereto, and the Board of Appeal's January 26, 2017 work-session to consider the merits of the same, it is this 23rd day of February 2017

ORDERED that the Motion to Dismiss be, and the same hereby is, **GRANTED**; and it is further

ORDERED that Board of Appeals No. 731-D be, and the same hereby is, **DISMISSED**. Section 2.210(b)(1) of the Howard County Board of Appeals Rules of Procedure provides that, within 30 days of filing an appeal on the record from the action of an administrative agency, the Appellant "shall file one copy of the record transcript of the hearing being appealed with the clerk of the Board, and shall serve one copy of the record transcript with the administrative agency and five copies with the Board of Appeals." This was an appeal on the record. *See* Howard County Code § 17.321(f) ("Any person, including the Animal Control Administrator, who is aggrieved by a decision and order of the [Animal Matters Hearing] Board may, within 30 days thereof, appeal the decision to the Board of Appeals. The appeal shall be on the record"). Appellant failed to timely file the requisite copies of the record transcript required by Rule 2.210(b)(1) of the Board of Appeals Rules of Procedure, despite being advised in writing on September 20, 2016 of his obligation to do so.

ATTEST:


Alison Mathieson, Secretary

HOWARD CO. BOARD OF APPEALS

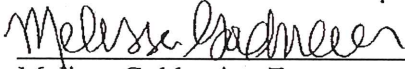

Steven Hunt, Chairperson


Absent AT TIME OF SIGNING
James Howard

APPROVED AS TO FORM:
HOWARD COUNTY OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR


John Lederer

Absent AT TIME OF SIGNING
Genevieve Walker-Lightfoot


Melissa Goldmeier, Esq.
Asst. County Solicitor


James Walsh