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BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

DEANNA J. HAMILTON,)
)
Petitioner,)
)
vs.)
)
MARION COUNTY,)
)
Respondent.)

LUBA No. 98-010
FINAL OPINION
AND ORDER

Appeal from Marion County.

Donald M. Kelley, Silverton, represented petitioner.

Jane Ellen Stonecipher, Assistant County Counsel, Salem, represented respondent.

BRIGGS, Board Member and HOLSTUN, Board Chair participated in the decision.

DISMISSED 04/27/99

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

1 Briggs, Board Member.

2 Petitioner moves to dismiss her appeal and for return of her deposit for costs and
3 filing fee. Although LUBA's rules authorize award of a petitioner's filing fee to respondent in
4 certain circumstances (OAR 661-010-0075(1)(c)), they do not provide for return of a filing
5 fee to petitioner. Totman v. City of Grants Pass, 24 Or LUBA 46 (1992). Accordingly, this
6 appeal is dismissed. The Board will return petitioner's \$150 deposit for costs.