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

JOHN PIERCE,)
)
 Petitioner,)
)
 vs.)
)
 DESCHUTES COUNTY,)
)
 Respondent.)

LUBA No. 99-055

FINAL OPINION
AND ORDER

Appeal from Deschutes County.

Andrew H. Stamp, Portland, represented petitioner.

Bruce W. White, Bend, represented respondent.

BRIGGS, Board Member; HOLSTUN, Board Chair; BASSHAM, Board Member,
participated in the decision.

DISMISSED 06/17/99

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