



FILED:  
February 10,  
2023

**STATE OF INDIANA  
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**

<b>Charles Blackwell,</b> <b>Complainant,</b> V. <b>City of Indianapolis &amp; Smock Golf Course,</b> <b>Respondents.</b>	Administrative Cause No.: ICRC-2202-000291 Underlying Agency Action No.: PAra19070413
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*Subject to the Ultimate Authority of the Indiana Civil Rights Commission*

**FINAL FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

*Pursuant to IC 4-21.5 and the Commission's June 19, 2020 Order: Automatic Adoption and Approval of Certain Non-Final Decisions, this Order is final, having been automatically approved by the Indiana Civil Rights Commission.*

**PROCEDURAL HISTORY & JURISDICTION**

The Commission of the Indiana Civil Rights Commission ("ICRC") has subject matter jurisdiction over public accommodation discrimination complaints based on race that are filed under the Indiana Civil Rights Law ("ICRL"). IND. CODE § 22-9-1-2; IND. CODE § 22-9-1-6. On February 10, 2022, the ICRC, after conducting a neutral investigation, made a probable cause finding on Charles Blackwell's July 15, 2019 complaint that alleged Respondents violated the Indiana Civil Rights Law ("ICRL") by discriminating against Charles Blackwell in the protected area of public accommodation on the basis of race. When a finding of cause is made under the ICRL, pursuant to the Commission's June 19, 2020 Finding of Necessity, the Office of Administrative Law Proceedings ("OALP") shall appoint an Administrative Law Judge ("ALJ") to preside over the matter and to conduct a hearing. IND. CODE § 22-9-1-6; IND. CODE § 4-15-10.5-12; IND. CODE § 4-15-10.5-13.

**ISSUE**

Is Complainant's Notice of Withdrawal ("Motion") effective in dismissing this matter?

**FINDINGS OF FACT**

1. The Motion was filed on February 10, 2023.
2. As represented in the Motion, the Parties have reached a settlement. As a result, Complainant requests that this matter be dismissed.
3. The Motion was served on all Parties before a Notice of Hearing was issued.

## DECISION

Having duly considered the above, the undersigned Administrative Law Judge ("ALJ") for the Office of Administrative Law Proceedings ("OALP") hereby orders as follows:

1. Complainant's Motion is GRANTED.
2. Charles Blackwell's July 15, 2019 Complaint is DISMISSED, with prejudice.
3. Either Party to a dispute filed under IC 22-9 may, not more than thirty (30) days after the date of receipt of the Commission's final appealable order, appeal to the court of appeals under the same terms, conditions, and standards that govern appeals in ordinary civil actions. IND. CODE § 22-9-8-1.

SO ORDERED: February 10, 2023



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Hon. LaKesha Triggs, Administrative Law Judge  
Indiana Office of Administrative Law Proceedings  
100 North Senate Ave., Room N802  
Indianapolis, IN 46204  
(317) 234-6689

### Distribution List:

*The following distribution list includes the names and mailing addresses of all known Parties and other persons to whom notice is being given. IC 4-21.5-3-18.*

Charles Blackwell: 1804 West 65<sup>th</sup> Place, Indianapolis, IN 46260

Smock Golf Course\*: 3910 East County Line Rd., Indianapolis, IN 46204

City of Indianapolis\*: 200 East Washington St., Room 1601, Indianapolis, IN 46204

Richard G. McDermott\*: 200 East Washington St., Room 1601, Indianapolis, IN 46204

David Fleischhacker\*: 100 N. Senate Ave., Room N300, Indianapolis, IN 46204; (317) 232-2600

Christine R. Bond\*: 550 Congressional Blvd., Suite 310, Carmel, IN 46032

Chair Slash of the Indiana Civil Rights Commission – ultimate authority and served at [doCKETclerk@icrc.in.gov](mailto:doCKETclerk@icrc.in.gov)

*\*served in care of appearing attorney through ALP system at the email address on file with the Indiana Roll of Attorneys – all other service by mail.*