

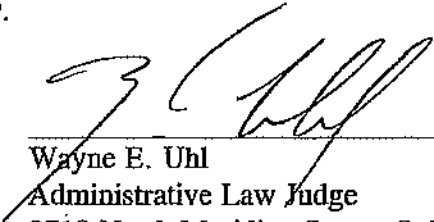
**BEFORE AN ADMINISTRATIVE LAW JUDGE
FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND**

IN THE MATTER OF)	1977 POLICE OFFICERS' AND
VICTOR C. MOBLEY,)	FIREFIGHTERS' PENSION AND
)	DISABILITY FUND
Petitioner.)	

ORDER OF DISMISSAL

PERF has moved to dismiss this proceeding on the ground of mootness, representing that Petitioner's disability will be retroactively considered Class 1. Petitioner has been notified of this and agrees that the proceeding should be dismissed. The motion is granted, and this administrative proceeding is DISMISSED as moot.

ORDERED on December 9, 2009.



Wayne E. Uhl
Administrative Law Judge
8710 North Meridian Street, Suite 200
Indianapolis, Indiana 46260-2331

STATEMENT OF AVAILABLE PROCEDURES FOR REVIEW

The undersigned administrative law judge is not the ultimate authority, but was designated by the PERF Board to hear this matter pursuant to I.C. § 4-21.5-3-9(a). Under I.C. § 4-21.5-3-27(a), this order becomes a final order when affirmed under I.C. § 4-21.5-3-29, which provides, in pertinent part:

(b) After an administrative law judge issues an order under section 27 of this chapter, the ultimate authority or its designee shall issue a final order:

- (1) affirming;
- (2) modifying; or
- (3) dissolving;

the administrative law judge's order. The ultimate authority or its designee may remand the matter, with or without instructions, to an administrative law judge for further proceedings.

(c) In the absence of an objection or notice under subsection (d) or (e), the ultimate authority or its designee shall affirm the order.

(d) To preserve an objection to an order of an administrative law judge for judicial review, a party must not be in default under this chapter and must object to the order in a writing that:

- (1) identifies the basis of the objection with reasonable particularity; and
- (2) is filed with the ultimate authority responsible for reviewing the order within fifteen (15) days (or any longer period set by statute) after the order is served on the petitioner.

(e) Without an objection under subsection (d), the ultimate authority or its designee may serve written notice of its intent to review any issue related to the order. The notice shall be served on all parties and all other persons described by section 5(d) of this chapter. The notice must identify the issues that the ultimate authority or its designee intends to review.

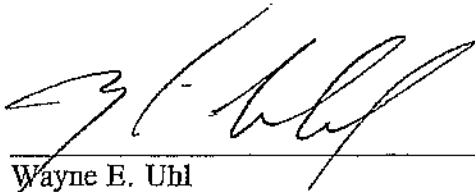
CERTIFICATE OF SERVICE

I hereby certify that I served a copy of this document on the following persons, by U.S. Postal Service first-class mail, certified mail, return receipt requested, postage prepaid, on December 9, 2009:

Victor C. Mobley


Kathryn Cimera, General Counsel
Allison A. Murphy, Staff Attorney
PERF
143 W. Market St.
Indianapolis IN 46204

Chief, Gary Police Department
555 Polk St.
Gary, IN 46402



Wayne E. Uhl
Administrative Law Judge