

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
ADMINISTRATIVE ADJUDICATION DIVISION

RE: JOHN, ROSE, AND RICHARD CONTI/MUTUAL MOTORS, INC.
WETLANDS ENFORCEMENT 4964

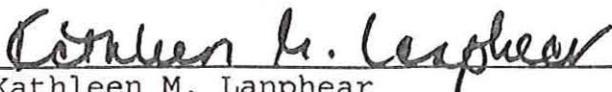
ORDER

This matter is before the hearing officer on the Motion to Lift Stay filed by the Division on January 31, 1994. The Division seeks to lift the stay of the Final Decision and Order No. 4964 entered by the Director of the Department of Environmental Management on September 24, 1987. I have sua sponte reviewed the submissions made by the Division and conclude that I do not have jurisdiction to consider the Division's request. The final order issued by the Director divests the hearing officer of jurisdiction. Any Motions regarding this matter must be addressed to the Director in the first instance and the Director may then act upon the matter or may refer it to AAD for a Recommended Decision and Order. Based on the foregoing, it is hereby

ORDERED

that the request to lift the stay is DENIED without prejudice.

Entered as an Administrative Order this 18th day of April, 1994.


Kathleen M. Lanphear
Chief Hearing Officer
Department of Environmental Management
Administrative Adjudication Division
One Capitol Hill, Third Floor
Providence, Rhode Island 02908

CERTIFICATION

I hereby certify that I caused a true copy of the within order to be forwarded, via regular mail, postage prepaid to John B. Webster, Esq., Adler Pollock & Sheehan, 2300 Hospital Trust Tower, Providence, RI 02903 and via interoffice mail to Genevieve M. Martin, Esq., Office Legal Services, 9 Hayes Street, Providence, RI 02908 on this 1st day of April, 1994.

Bruce L. Stewart