

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Appeal of the Trespass
Civil Citation Issued to Terry LeRoy Pickar

NOTICE OF HEARING

PLEASE BE ADVISED that a hearing, conducted by telephone, will be held on **Tuesday, April 5, 2011, beginning at 10:00 a.m.** and continuing as long as necessary.

Participating in the hearing conference telephone call will be the undersigned Administrative Law Judge, Manuel J. Cervantes, whose office is located at 600 North Robert Street, PO Box 64620, St. Paul, Minnesota 55164-0620, and whose telephone number is 651-361-7900; Conservation Officer Al Peterson, who issued the citation, and any witness(es) that he may call who have direct information about this matter. Also participating will be the appellant herein, Terry LeRoy Pickar, whose telephone number is (218) [Number Redacted], and any witness(es) that he may call who have direct information about this matter.

The Administrative Law Judge will initiate the call, using these telephone numbers. If yours is not a good telephone number to use at that time or if it is necessary to change the date or time, please contact the Judge immediately at the telephone number above. Please advise the Administrative Law Judge promptly of any scheduling issue(s).

The Administrative Law Judge and the Commissioner can base their decision only on factual information or evidence that is part of the hearing record. Persons participating in the hearing should have available all documents, records, witnesses, and any other evidence they need to present their position. Subpoenas may be available to compel the attendance of witnesses or other production of documents. See Minn. R. 1400.8601 for the procedures regarding subpoenas or consult the website of the Office of Administrative Hearings at <http://www.oah.state.mn.us/forms/forms.html>.

Once the hearing is completed the Administrative Law Judge will issue a recommended decision. A copy will be sent to each party and to the Commissioner. After allowing at least five days to pass, the Commissioner will issue a final order. During the five-day period, the parties may file comments with the Commissioner regarding the recommended decision.

Failure to be available for the hearing will result in the citation being upheld and the fine will have to be paid within thirty (30) days of the issuance of the Commissioner's final decision, with no further opportunities for administrative appeal.

Questions concerning settlement of this matter may be directed to the Administrative Law Judge at 651-361-7900 or Pat Watts, Policy/Legal Analyst, Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155-4047, telephone (651) 259-5058.

Dated: March 16, 2011

s/Manuel J. Cervantes

MANUEL J. CERVANTES
Administrative Law Judge