



CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

Hearings Office

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HEARINGS OFFICER'S ORDER

APPEAL OF GARY LANE

CASE NO. 3110124

[Police Bureau Case No. 11-23401]

PARK: Southwest Community Center

HEARINGS OFFICER: Mr. Gregory J. Frank

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

On April 18, 2011 Portland Park Ranger Dezso submitted, via fax, a letter to the Hearings Officer (Exhibit 12). A hearing was scheduled for the purpose of considering Mr. Lane's appeal of a Notice of Exclusion from City of Portland Park dated March 18, 2011 (90 day exclusion from SW Community Center/Gabriel Park) (Exhibit 1b). The Hearings Officer admits Exhibits 1b and 12 into the evidentiary record.

Ranger Dezso, in Exhibit 12, states that the "Portland Parks Bureau wishes to withdrawal [sic] Lane's 90 day exclusion (Bureau Case # 1123401)." The Hearings Officer finds such request to be reasonable and appropriate. The Hearings Officer finds that the Notice of Exclusion from City of Portland Park dated March 18, 2011 issued to Mr. Gary Lane (Exhibit 1b) shall have no further force or effect. Mr. Lane's appeal hearing scheduled for April 21, 2011 at 4:00 p.m. in Room 3000 at 1900 SW Fourth Avenue, Portland, is cancelled.

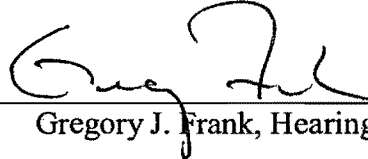
ORDER AND DETERMINATION:

1. The Notice of Exclusion from City of Portland Park dated March 18, 2011 issued to Mr. Gary Lane (Exhibit 1b) shall be considered void and have no further force or effect.
2. Mr. Lane's appeal hearing scheduled for April 21, 2011 is cancelled.
3. This order has been mailed to the parties on April 19, 2011.

4. This order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: April 19, 2011

GJF:rs/jeg


 Gregory J. Frank, Hearings Officer

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Appeal form page 1a	Complaint Signer's Office,	Not Offered
1a	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Not Offered
1b	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Received
1c	3/18/11 letter, Kurt Nelson to Lane	Complaint Signer's Office,	Not Offered
1d	3/18/11 letter, Lane to PPB	Complaint Signer's Office,	Not Offered
2	Certified Mail Envelope	Complaint Signer's Office,	Not Offered
2a	3/18/11 letter, Lane to PPB (duplicate of exh. 1d)	Complaint Signer's Office,	Not Offered
2b	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Not Offered
3	Note from Complaint Signer	Complaint Signer's Office,	Not Offered
4	Appeal form page 2	Complaint Signer's Office,	Not Offered
5	Special Report	Complaint Signer's Office,	Not Offered
6	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Not Offered
6a	Issuing Person's Sworn Statement/Affidavit	Complaint Signer's Office,	Not Offered
6b	Park Rangers Special Report	Complaint Signer's Office,	Not Offered
7	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Not Offered
7a	Issuing Person's Sworn Statement/Affidavit	Complaint Signer's Office,	Not Offered
7b	Park Rangers Special Report	Complaint Signer's Office,	Not Offered
8	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Not Offered
8a	Issuing Person's Sworn Statement/Affidavit	Complaint Signer's Office,	Not Offered
8b	Park Rangers Special Report	Complaint Signer's Office,	Not Offered
9	Mailing List	Hearings Office	Not Offered
10	Hearing Notice	Hearings Office	Not Offered
11	E-mails	Lane, Gary	Not Offered
12	Request to withdraw exclusion	Dezso, Joe	Received