

**BEFORE THE  
RECLAMATION COMMISSION**

MARIETTA COAL COMPANY,	:	Case No. RC-10-010
	:	
Appellant,	:	Review of Affidavit for Priority
	:	Lien; Permits D-216, D-478, D-2150,
-vs-	:	D-2196, D-674, D-720 & D-2149
	:	
DIVISION OF MINERAL RESOURCES	:	
MANAGEMENT,	:	<b><u>REPORT OF THE</u></b>
	:	<b><u>HEARING OFFICER</u></b>
	:	
Appellee.	:	

Appearances: C. Keith Plummer, Counsel for Appellant Marietta Coal Company; Mark G. Bonaventura, Molly Corey; Assistant Attorneys General, Counsel for Appellee Division of Mineral Resources Management.

**FINDINGS, CONCLUSIONS**

On July 12, 2010, Appellant Marietta Coal Company filed with the Reclamation Commission a notice of appeal from an Affidavit for Priority Lien filed by the Division of Mineral Resources Management. This cause was assigned case number RC-10-010.

On October 15, 2010, Appellant filed a Notice of Withdrawal of Appeal with the Reclamation Commission in this matter. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-10-010 is hereby **DISMISSED** without further action required by the Reclamation Commission.

10/15/2010  
DATE

  
LINDA WILHELM OSTERMAN  
Hearing Officer

**DISTRIBUTION:**

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