

**BEFORE THE WESTERN WASHINGTON GROWTH
MANAGEMENT HEARINGS BOARD**

MARK TYLER, et.al.)	
)	
Petitioner,)	No. 94-2-0020
vs.)	
)	ORDER DISMISSING
CITY OF TUMWATER AND)	TYLER PETITION
DONALD E. BERSCHAUER)	FOR REVIEW
)	
Respondents.)	
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)	

On November 7, 1994, the Western Washington Growth Management Hearings Board (the Board) received a Petition for Review from Theodore Mahr on behalf of Mark Tyler, alleging that the City of Tumwater’s “growth management” plan (resolution R94-033) was out of compliance with the Growth Management Act. The matter was assigned case number 94-2-0020.

On November 7, 1994, the Board received a letter from Mr. Tyler requesting that the petition be withdrawn.

ORDER

Having reviewed the above referenced documents and pursuant to WAC 242-02-720(2), which provides that a case may be dismissed upon motion of a petitioner prior to the presentation of the respondent’s case, the Board orders the following:

Tyler v. Tumwater and Berschauer, WWGMHB Case No. 94-2-0020, is **dismissed**, as the Petition for Review has been voluntarily withdrawn by the petitioner.

So ordered this 9th day of November, 1994.

WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

Les Eldridge
Presiding Officer

William H. Nielsen
Board Member

Nan A. Henriksen
Board Member