

BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

1ST JOHN 2:17, LLC and JONATHAN TALLMAN,
Petitioners,

vs.

MORROW COUNTY,
Respondent.

LUBA No. 2022-014

ORDER

On February 16, 2022, petitioners filed their “PRECAUTIONARY NOTICE OF INTENT TO APPEAL” the county’s denial of petitioners’ application for a road approach permit and associated construction permits. On May 2, 2022, petitioners and the county filed a stipulated motion to suspend the appeal to “pursue an alternative resolution of this matter.” Stipulated Motion to Suspend Appeal 1. On May 5, 2022, we suspended this appeal.

On May 2, 2023, LUBA issued an order directing the parties to advise LUBA of the status of the appeal. Our order advised the parties that if we did not receive a response to our order, we would issue a second order continuing the suspension for an additional 28 days and at the conclusion of that 28-day extension, the appeal would be dismissed without further notice, unless one or more of the parties requested that the appeal be reactivated.

As of the date of this order, LUBA has not received a response to its order. This appeal will be dismissed without further notice unless one or more of the



1 parties requests that the appeal be reactivated, on or before December 29, 2023

2 Dated this 1st day of December 2023.

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4 

5
6 _____
7 Michelle Gates Rudd
8 Board Member

Certificate of Mailing

I hereby certify that I served the foregoing Order for LUBA No. 2022-014 on December 1, 2023, by mailing to said parties or their attorney a true copy thereof contained in a sealed envelope with postage prepaid addressed to said parties or their attorney as follows:

Justin W. Nelson
Morrow County District Attorney's Office
PO Box 664
Heppner, OR 97836

Wendie L. Kellington
Kellington Law Group, PC
PO Box 2209
Lake Oswego, OR 97035

Dated this 1st day of December, 2023.

Erin Pence
Executive Support Specialist



Hannah Barkemeyer Baker
Executive Support Specialist

gon Land Use Board of Appeals
775 Summer St NE Ste 330
Salem, OR 97301-1283

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