

**BEFORE THE COLORADO MINED LAND RECLAMATION BOARD**

RICK MITCHELL

Petitioner

v.

LGI HOMES – COLORADO, LLC

Respondent.

**Appeal of Division of Reclamation, Mining  
& Safety Decision Dated September 13,  
2021**

**Approval of the Request for Permit Release  
of Bennett Crossing Filing 2 (Parcel 1 and  
2) permits M2019-029 and M2019-030.**

December 6, 2021

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**WITHDRAWAL OF  
AMENDED PETITION FOR APPEAL AND REQUEST FOR HEARING PURSUANT  
TO RULES 1.4.11, 4.19(1), C.R.S. §§ 34-32.5-101 *ET SEQ.*, AND C.R.S. § 24-4-105**

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COMES NOW, the Petitioner, Rick Mitchell (“Mitchell”), by and through undersigned counsel, and due to health complications, hereby withdraws his appeal (originally filed October 12, 2021 and amended on October 26, 2021) to the Colorado Division of Reclamation, Mining & Safety’s (“DRMS”) decision dated September 13, 2021 approving the request for permit release of Bennett Crossing Filing 2 (Parcel 1 and 2) permits M-2019-029 and M-2019-030 of LGI Homes – Colorado, LLC, the Respondent (“LGI”), and requests that this proceeding be deemed to be no longer pending before this Board.

Dated December 6, 2021.

HOLSINGER LAW, LLC

*Original on file at Holsinger Law, LLC*

By: /s/ Jack Silver

By: /s/ Terry Jo Epstein

Jack Silver (3891)

Terry Jo Epstein (17794)

*Attorneys for Petitioner Rick Mitchell*

## CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2021, the foregoing WITHDRAWAL OF AMENDED PETITION FOR APPEAL AND REQUEST FOR HEARING PURSUANT TO RULES 1.4.11, 4.19(1), C.R.S. §§ 34-32.5-101 ET SEQ., AND C.R.S. § 24-4-105 was submitted to the Colorado Mined Land Reclamation Board/Colorado Division of Reclamation, Mining & Safety c/o Patrick Lennberg, Environmental Protection Specialist ([patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us)), and courtesy copies were provided by email to:

Christopher J. Dawes ([cdawes@foxrothschild.com](mailto:cdawes@foxrothschild.com))

Kirsten N. Kube ([kkube@foxrothschild.com](mailto:kkube@foxrothschild.com))

Fox Rothschild LLP

*Attorneys for Respondent LGI Homes – Colorado, LLC*

HOLSINGER LAW, LLC

By: /s/ Sarah Ostby

Sarah Ostby, *Paralegal*