

**DISTRICT OF COLUMBIA
COURT OF APPEALS**

JOSEPH JORGENS, III, *et. al.*
Petitioners,

v.

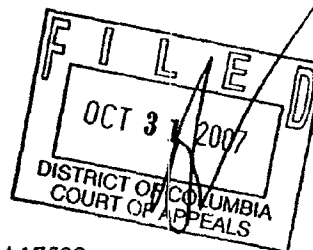
DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT,
Respondent,

and

APPLETREE INSTITUTE
FOR EDUCATION INNOVATION
Intervenor.

Agency No. BZA17532

Appeal No: 07 AA 943



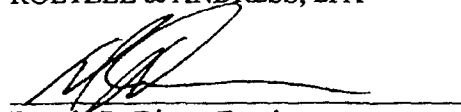
MOTION TO DISMISS

Petitioners Joseph Jorgens, III, *et. al.* ("Petitioners") hereby move to dismiss the appeal in this case. The reason therefore is that Petitioners believe that the issues raised by the appeal of the District of Columbia Board of Zoning Appeal's decision in BZA Appeal No. 17532, dated July 25, 200, have become moot in light of the District of Columbia Zoning Commission's subsequent adoption and promulgation thereof of Text Amendment Z.C. Case No. 07-03 minimum lot dimensions in the Residential Districts, which amended 11 DCMR §401.01. The government consents to this dismissal.

DATED: October 31, 2007

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this October 31, 2007, a copy of the foregoing was mailed, first-class, postage prepaid to:

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