

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Louis DiMuzio,

Complainant

against

Docket # FIC 2022-0298

Antonio Muniz, Fire Marshal, Town of
Prospect; and Town of Prospect,

Respondents

March 22, 2023

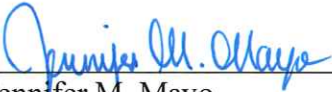
The above-captioned matter was scheduled to be heard as a contested case on February 23, 2023, at which time the respondents appeared, but the complainant failed to appear. This matter was consolidated for hearing with Docket #FIC 2022-0200, Louis DiMuzio v. Fire Marshal, Town of Prospect; and Town of Prospect.

The hearing officer notes that Attorney David S. Hardy, counsel for the respondents, appeared at the hearing with one witness, Antonio Muniz, the named respondent. Attorney Hardy represented that he spent approximately ten to fifteen hours preparing for the hearing, which preparation included reviewing the file, assembling exhibits, and preparing his witness to testify. In addition, it is noted that Attorney Hardy and Fire Marshal Muniz both traveled approximately forty-five minutes to attend the hearing.

The following order is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is dismissed for failure to prosecute.
2. The complainant is admonished for his failure to appear at the hearing in this matter, which failure resulted in a waste of scarce state and local resources.

Approved by Order of the Freedom of Information Commission at its regular meeting of March 22, 2023.



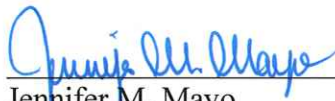
Jennifer M. Mayo
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

LOUIS DIMUZIO, 54 New Haven Road, Prospect, CT 06712

ANTONIO MUNIZ, FIRE MARSHAL, TOWN OF PROSPECT; AND TOWN OF PROSPECT, c/o Attorney David Hardy, Esq., Carmody Torrance Sandak & Hennessey LLP, 195 Church Street, P.O. Box 1950, New Haven, CT 06509



Jennifer M. Mayo
Acting Clerk of the Commission