

ENTRY ORDER

SUPREME COURT DOCKET NO. 89-358

MARCH TERM, 1990

FILED
MAR 13 11 15 AM '90
CLERK
VERMONT SUPREME COURT

In re Petition of Robert White
and Barbara White

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APPEALED FROM:

Department of Water Resources

DOCKET NO. EC-3-1425

In the above entitled cause the Clerk will enter:

The power to revoke a subdivision permit containing false or misleading information is vested in the sound discretion of the Commissioner of Environmental Conservation. 18 V.S.A. § 1218(c)(4). This Court will not interfere with such decisions absent a showing of an abuse of discretion resulting in prejudice to one of the parties. See Vincent v. Vermont State Retirement Board, 148 Vt. 531, 536, 536 A.2d 925, 929 (1987). The Commissioner fashioned a reasonable remedy in the instant matter, and no abuse of discretion has been shown.

The decision of the Water Resources Board is affirmed.

BY THE COURT:

Frederic W. Allen

Frederic W. Allen, Chief Justice

Louis P. Peck

Louis P. Peck, Associate Justice

Ernest W. Gibson III

Ernest W. Gibson III, Associate Justice

John A. Dooley

John A. Dooley, Associate Justice

James L. Morse

James L. Morse, Associate Justice

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I certify this document
to be a true copy of the
original on file in the Office
the Clerk of the Vermont Supreme
Court, this 2nd day of

May, 19 90

Lang A. [Signature]

Clerk/Deputy Clerk