

2-19-97

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STATE OF FLORIDA
BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS

ROGER E. YATES,

Petitioner,

-vs-

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

Respondent.

Final Order No. BPR-97-05056 Date 6-19-97

FILED

Dept. of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By: Branda [Signature]

DOAH CASE NO.: 97-0068

LICENSE NO.: Unlicensed

AT

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FILED
DIVISION OF
ADMINISTRATIVE
HEARINGS

FINAL ORDER ADOPTING RECOMMENDED ORDER

THIS CAUSE came before the Board of Professional Surveyors and Mappers pursuant to Section 120.57(1)(j), Florida Statutes, on May 22, 1997, in Tallahassee, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order, a copy of which is attached as Exhibit A, in the above-styled cause. The Petitioner was not present at the Board meeting. The Board was represented by Lealand McCharen, Assistant Attorney General.

Upon review of Recommended Order, review of the complete record in this case, and discussion on the record, the Board makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
2. There is competent substantial evidence to support the findings of fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 472, Florida Statutes.
2. The conclusions of law set forth in the Recommended Order are approved and adopted, and incorporated herein by reference.

RULINGS ON EXCEPTIONS

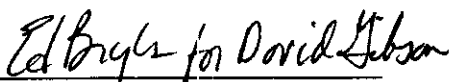
There were no exceptions filed in this case.

WHEREFORE, it is hereby ORDERED AND ADJUDGED:

This Order takes effect upon the date of filing with the Agency Clerk.

DONE and ORDERED this 17th day of June, 1997.

BOARD OF PROFESSIONAL
SURVEYORS AND MAPPERS



DAVID W. GIBSON, P.S.M.
CHAIR

NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this Final Order is entitled to Judicial Review Pursuant to Section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedures. Such proceedings are commenced by filing one copy of a Notice of Appeal with the Agency Clerk of the Department of Business and Professional Regulation and a second copy, accompanied by filing fees described by law, with the District Court of Appeal, First District, or with the District Court of

Appeal in the Appellate District where the party resides. The Notice of Appeal must be filed within thirty (30) days of Rendition of the Order to be reviewed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Final Order has been provided by United States Mail to Roger E. Yates, c/o Gerald T. Roden, Esquire, 1432 Twenty First Street, Vero Beach, Florida 32960, Susan B. Kirkland, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, FL 32399-1440, and R. Beth Atchison, Legal Section, Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0792 this _____ day of June, 1997.

EDWARD BROYLES
EXECUTIVE DIRECTOR