

AK

4-14-04

60

Final Order No. DOH-00-1537-~~FoF~~-MOA
FILED DATE - 8/24/2000
Department of Health
By: Vicki R. Kenon
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF OSTEOPATHIC MEDICINE

DEPARTMENT OF HEALTH,

LPS-6105

Petitioner,

CASE NO.: 99-2391
DOH CASE NO.: 94-14215
LICENSE NO.: OS 0001383

vs.

AT

VINCENT SUNDRY, D.O.,

Respondent.

Division of Administrative Hearings
FILED
Date 7/6/04

FINAL ORDER

THIS MATTER came before the Board of Osteopathic Medicine (hereinafter referred to as the "Board") pursuant to Section 120.57(1)(j), Florida Statutes, on June 10, 2000, in Miami, Florida, for consideration of the Recommended Order (a copy of which is attached hereto and incorporated herein by reference). The Petitioner was represented by Carol Lanfri, Esquire. The Respondent was not present nor was he represented by legal counsel at the Board meeting.

Upon consideration of the Administrative Law Judge's Recommended Order, and the arguments of the parties and after a review of the complete record in this matter, the Board makes the following findings:

EXCEPTIONS

Upon reviewing and fully considering the Exceptions filed by the Respondent, the Exceptions are hereby rejected.

FINDINGS OF FACT

1. The Administrative Law Judge's Findings of Fact are hereby approved, adopted and incorporated herein by reference.

2. There is competent, substantial evidence to support the Administrative Law Judge's Findings of Fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to the provisions of Section 120.57(1), and Chapter 459, Florida Statutes.

2. The Administrative Law Judge's Conclusions of Law, are hereby approved and adopted in toto.


PENALTIES

Based on the foregoing facts and conclusions of law, the following penalty shall be imposed:

Respondent's license is hereby revoked.

This Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 10th day of August, 2000.



William H. Buckhalt
Executive Director

NOTICE OF RIGHT TO JUDICIAL APPEAL

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 PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED 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 the foregoing Final Order has been furnished by U. S. Mail to Respondent's counsel, Pamela A. M. Campbell, Esquire, The Alexander Building, 535 Central Avenue, Suite 403, St. Petersburg, Florida 33701-370, and by hand delivery/United States Mail to the Clerk, Department of Health and its Counsel, 2020 Capital Circle S.E., Bin # C01, Tallahassee, Florida 32399-1703, this _____ day of _____, 2000.

AMENDED CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been provided by certified mail to Vincent Sundry, 1730 Alt 19 S. #A, Watergate Plaza, Tarpon Springs, FL 34689-9613, Pamela A. M. Campbell, Esquire, The Alexander Building, 535 Central Avenue, Suite 403, St. Petersburg, Florida 33701 and interoffice delivery to Clerk, Department of Health and its Counsel, 4052 Bald Cypress Way, Bin # A02, Tallahassee, Florida 32399-1703 at or before 5:00 p.m., this _____ day of _____, 2000.
