

10-30-00

AT

STATE OF FLORIDA
DIVISION OF RETIREMENT

FILED
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DIVISION OF
ADMINISTRATIVE
HEARINGS

DWD

ELDON SADLER,

Petitioner,

vs.

DOAH CASE NO. 00-2214
CASE NO. DMS-DOR00-05

DIVISION OF RETIREMENT,

Respondent.

FINAL ORDER

This cause came before me for the purpose of issuing a final agency order. The Administrative Law Judge, Don W. Davis, assigned by the Division of Administrative Hearings (DOAH) in the above entitled cause submitted a Recommended Order and all exhibits offered into evidence to the Division of Retirement. A copy of that Recommended Order is attached hereto and made a part hereof as "Exhibit A".

APPEARANCE

For Petitioner:
Eldon Sadler

Larry E. Levy, Esquire
1828 Riggins Road
Tallahassee, Florida 32308

For Respondent:
Department of Management
Services, Division of
Retirement

Larry D. Scott, Esquire
Senior Attorney
Division of Retirement
Cedars Executive Center, Building C
2639 North Monroe Street
Tallahassee, Florida 32399-1560

FINDINGS OF FACT

The Division hereby adopts and incorporates by reference the Findings of Fact set forth in the Recommended Order.

CONCLUSIONS OF LAW

The Division hereby adopts and incorporates by reference the Conclusions of Law set forth in the Recommended Order.

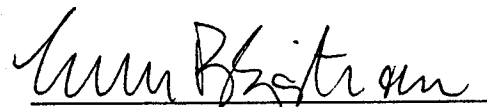
Based upon the foregoing it is,

ORDERED and **DIRECTED**, that payments made to Connie LaValle by Petitioner, Eldon Sadler, Taylor County Property Appraiser, for additional duties from Petitioner's office constitute salary for additional employment requiring payment of the retirement contributions by the Petitioner for the period of June 1993 until the present.

DONE and **ORDERED** this 11th day of December, 2000, at Tallahassee, Leon County, Florida.

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 PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DIVISION OF RETIREMENT, 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 30 DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.



Erin B. Sjostrom
State Retirement Director
Division of Retirement
Cedars Executive Center
Building C
2639 North Monroe Street
Tallahassee, Florida 32399-1560
(850) 488-5540

CLERK'S CERTIFICATE

I HEREBY CERTIFY that this Final Order was filed in the official records of the Division of Retirement on the 11th day of December, 2000, and that on the same date, copies were furnished to Larry D. Scott, Esquire, Division of Retirement, Legal Office, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida 32399-1560; Larry E. Levy, Esquire, 1828 Riggins Road, Tallahassee, Florida 32308; and Don W. Davis, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060.

Eddie Tanner

EDDIE TANNER

Clerk

Division of Retirement