

1-14-02

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

FILED
02 JUN -4 AM 9:47
ADMINISTRATIVE
HEARINGS

AT

BOBBI DEBOSE,

EEOC Case No. 15D970716

Petitioner,

FCHR Case No. 97-1298

v.

DOAH Case No. 00-3426

COLUMBIA NORTH FLORIDA REGIONAL
MEDICAL CENTER,

FCHR Order No. 02-021

Respondent.

EJD - CLOS

FINAL ORDER DISMISSING PETITION FOR
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE

This matter is before the Commission for consideration of the Recommended Order, dated January 14, 2002, issued in the above-styled matter by Administrative Law Judge Ella Jane P. Davis.

Findings of Fact and Conclusions of Law

Judge Davis' order reflects that Petitioner failed to appear at the scheduled administrative hearing in the matter, and, therefore, "failed to carry her duty to go forward and her burden of proof by a preponderance of the evidence to establish that an unlawful employment practice had been committed..." Consequently, Judge Davis recommended the Commission issue a final order dismissing the matter based on Petitioner's failure to appear and put on evidence.

We adopt the Administrative Law Judge's finding as to the nonappearance of Petitioner and the Administrative Law Judge's conclusion that Petitioner has failed to carry her burden of proof.

Exceptions

Neither party filed exceptions to the Administrative Law Judge's Recommended Order.

Dismissal


The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive notice of appeal within 30 days of the date this Order is filed with the Clerk of the Commission. Explanation of the right of appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 3rd day of JUNE, 2002.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Keith Roberts, Panel Chairperson;
Commissioner Leonie Hermantin; and
Commissioner P.C. Wu

Filed this 3rd day of JUNE, 2002,
in Tallahassee, Florida.



Violet Crawford, Clerk
Commission on Human Relations
2009 Apalachee Parkway, Suite 100
Tallahassee, FL 32301
(850) 488-7082

NOTICE TO COMPLAINANT / PETITIONER

As your complaint was filed under Title VII of the Civil Rights Act of 1964, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC), you have the right to request EEOC to review this Commission's final agency action. To secure a "substantial weight review" by EEOC, you must request it in writing within 15 days of your receipt of this Order. Send your request to Miami District Office (EEOC), One Biscayne Tower, 2 South Biscayne Blvd., Suite 2700, 27th Floor, Miami, FL 33131.

Copies furnished to:

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Ella Jane P. Davis, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel