

9-18-01

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

AT

02 MAR 21 11 51 AM '05

LAWRENCE JAMES, JR.,

EEOC Case No. N/A

Petitioner,

FCHR Case No. 98-0834

v.

DOAH Case No. 00-4158

ALACHUA COUNTY DEPARTMENT OF  
CRIMINAL JUSTICE SERVICE,

FCHR Order No. 02-001

Respondent.

EJD -CWS

FINAL ORDER DISMISSING PETITION FOR  
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE

Preliminary Matters

Petitioner Lawrence James, Jr., filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (1995), alleging that Respondent Alachua County Department of Criminal Justice Service committed an unlawful employment practice on the basis of Petitioner's race (Black) and disability (unspecified in complaint), and on the basis of retaliation, when it terminated Petitioner from his position.

The allegations set forth in the complaint were investigated, and, on August 15, 2000, the Executive Director issued his determination finding that there was no reasonable cause to believe that an unlawful employment practice had occurred.

Petitioner filed a Petition for Relief from an Unlawful Employment Practice, and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

An evidentiary hearing was held in Gainesville, Florida, on March 5, 2001, and March 9, 2001, before Administrative Law Judge Ella Jane P. Davis.

Judge Davis issued a Recommended Order of dismissal, dated September 18, 2001.

The Commission panel designated below considered the record of this matter and determined the action to be taken on the Recommended Order.

Findings of Fact

We find the Administrative Law Judge's findings of fact to be supported by competent substantial evidence.

We adopt the Administrative Law Judge's findings of fact.

Conclusions of Law

We find the Administrative Law Judge's application of the law to the facts to result in a correct disposition of the matter.

We adopt the Administrative Law Judge's conclusions of law.

Exceptions

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

Dismissal

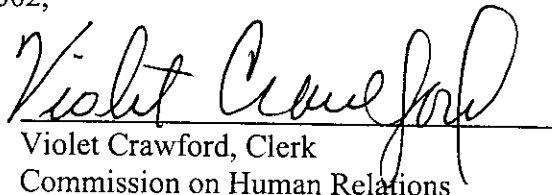
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 to appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 20<sup>th</sup> day of March, 2002.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Roosevelt Paige, Panel Chairperson;  
Commissioner Gayle Cannon; and  
Commissioner Donna Elam

Filed this 20<sup>th</sup> day of March, 2002,  
in Tallahassee, Florida.



Violet Crawford, Clerk  
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Ella Jane P. Davis, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel