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Department of Business and Professional Regulation  
Division of Alcoholic Beverages and Tobacco  
Northwood Centre  
1940 North Monroe Street  
Tallahassee, Florida 32399-1020

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

SML-Closed

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
DIVISION OF ALCOHOLIC BEVERAGES  
AND TOBACCO,

Final Order No. BPR-2001-03842 Date: 9-5-01  
FILED

Department of Business and Professional Regulation  
AGENCY CLERK  
Sarah Wachman, Agency Clerk

By: Brandon M. Nichols

Petitioner,

vs.

DOAH CASE NO.: 00-5010  
DBPR CASE NO.: ES 60 990849  
LICENSE NO.: 60-11520

THERRAINNES REX  
d/b/a ATLANTIC STREET STATION

Respondent.

FINAL ORDER

The Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, pursuant to Section 120.57(1), Fla. Stat., enters this Final Order in the above-captioned matter. Upon consideration of the Recommended Order issued on February 16, 2001, by Stuart M. Lerner, Administrative Law Judge (a copy of which is attached as Exhibit A), review of the complete record, and in the absence of any exceptions to the Recommended Order, the Division makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

The Findings of Fact set forth in the Recommended Order are adopted in full and

incorporated herein by reference.

### CONCLUSIONS OF LAW

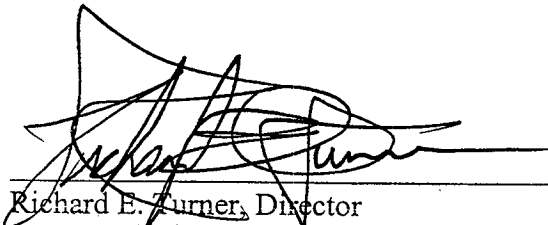
The Conclusions of Law set forth in the Recommended Order are adopted in full and incorporated herein by reference.

### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that Respondent's Alcoholic Beverage License Number 60-11520 4COP SRX is revoked without prejudice to obtain any other type of license, but with prejudice to obtain the same type of license for 5 years. It is further ORDERED that Respondent pay an administrative fine of \$1000. Payment must be received by October 1, 2001, and may be made at the Enforcement Office located at 400 North Congress Avenue, #150, West Palm Beach, Florida 33401.

DONE AND ORDERED this 31<sup>st</sup> day of August, 2001.



  
Richard E. Turner, Director  
Division of Alcoholic Beverages and Tobacco  
1940 North Monroe Street  
Tallahassee, Florida 32399-1020  
(850) 488-3227

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This *Order* of the Director of the Division of Alcoholic Beverages and Tobacco will become final unless judicial review is initiated within 30 days of the date of rendition. The rendition date is the date the *Order* is filed by the Agency Indexing Clerk. Judicial review may be commenced by filing

an original *Notice of Appeal* with the Clerk of the Division of Alcoholic Beverages and Tobacco and a copy, accompanied by filing fees prescribed by law, with the appropriate District Court of Appeal, pursuant to Section 120.68, Florida Statutes and Rule 9.110, F.R.A.P. A transcript of the informal hearing may be obtained upon written request received no later than 60 days from the rendition date of this Order.

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Mail Certification: This Final Order was sent by Certified Mail  
7000 1670 0013 5498 2461 to:  
James McGuinness  
35 Northeast Second Avenue, Suite 130  
Delray Beach, Florida 33444

By: Rosalind L. Fields

Mail Date: September 6, 2001

*Additional copies mailed to:*

Stuart M. Lerner, Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-3060

Michael Martinez, Assistant General Counsel  
Department of Business and Professional Regulation

Sarah Wachman, Agency Indexing Clerk  
Northwood Centre

District Supervisor

Bureau of Law Enforcement