

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

DAVID L. RHOTEN,

Appellant,

v.

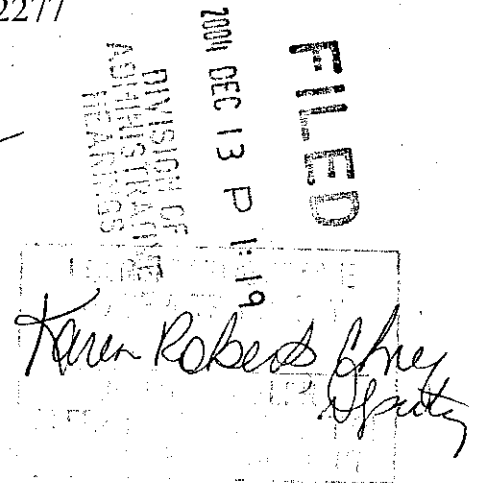
DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
FLORIDA DIVISION OF REAL
ESTATE,

Appellee.

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION AND
DISPOSITION THEREOF IF FILED.

CASE NO. 1D04-2277

01-3849PL
LSS
CWS



Opinion filed October 29, 2004.

An appeal from an order of the Department of Business and Professional Regulation,
Division of Real Estate.

Lisa Shearer Nelson of Holtzman, Equels, Tallahassee, for appellant.

Nancy Campiglia, General Counsel, and Gail Scott Hill, Assistant General Counsel,
Department of Business and Professional Regulation, Tallahassee, for appellee.

PER CURIAM.

Based on appellee's confession of error, the final order is reversed and
remanded with directions that appellant be afforded a formal hearing before the
Division of Administrative Hearings.

REVERSED and REMANDED.

ERVIN, BOOTH and KAHN, JJ., concur.

