

5-24-02

STATE OF FLORIDA  
DEPARTMENT OF HEALTH

AT

02 JUL 11 PM 3:20  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

Department of Health,

Petitioner,

JLJ-CWS

vs.

CASE NO. 02-1020

Larry C. Garner, dba A. Carver  
Septic Tank,

Respondent.

DOH-02-1023-FOF-HST  
Final Order No. \_\_\_\_\_ Date 6/28/2002

FILED  
Department of Health  
AGENCY CLERK

By R. S. Power  
R. S. Power

FINAL ORDER

Having received a Recommended Order from the Division of Administrative Hearings, this matter is before the Department of Health (Department) for the entry of a final order.

In the Recommended Order, the Administrative Law Judge (ALJ) concluded that the Respondent committed the rule and statutory violation alleged in the citation issued by the Department. The ALJ recommended that the Department impose a five hundred dollar (\$500.00) fine against the Respondent. No exceptions were filed. The Recommended Order of May 24, 2002 is approved and adopted.

Based on the foregoing, a five hundred dollar (\$500.00) fine is imposed. Payment in full is due no later than 30 days after the filing date of this final order. Address payment of the fine to the Department of Health, attention: John Lacko, Esquire, 420 Fentress Boulevard, Daytona Beach, Florida 32114. Make a check or money order payable to the Clay County Health Department.

DONE and ORDERED this 26<sup>th</sup> day of June 2002,  
in Tallahassee, Leon County, Florida.

JOHN O. AGWUNOBI, M.D., M.B.A.  
Secretary, Department of Health

By: Annie R. Neasman, R.N., M.S.  
Annie R. Neasman, R.N., M.S.  
Deputy Secretary for Health

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. A REVIEW PROCEEDING IS GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. A REVIEW PROCEEDING IS COMMENCED BY FILING A NOTICE OF APPEAL WITH THE CLERK OF THE DEPARTMENT OF HEALTH AND A COPY ACCOMPANIED BY THE FILING FEE WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES OR THE FIRST DISTRICT COURT OF APPEAL. THE NOTICE MUST BE FILED WITHIN 30 DAYS OF THE FILING DATE OF THIS FINAL ORDER.

Copies Furnished to:

J. Lawrence Johnston  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-1550

Gerald Briggs, Bureau Chief  
Bureau of On-Site Sewage  
Department of Health  
4042 Bald Cypress Way, BIN #A08  
Tallahassee, FL 32399

John D. Lacko, Esq.  
Department of Health  
420 Fentress Boulevard  
Daytona Beach, Florida 32114

Larry C. Garner, *pro se*  
13950 Normandy Boulevard  
Jacksonville, Florida 32221

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing FINAL ORDER has been sent by U.S. Mail, inter-office mail or by hand delivery to each of the above-named persons this 28 day of June 2002.

A handwritten signature in cursive script, appearing to read 'R. Samuel Power', written over a horizontal line.

R. Samuel Power  
Agency Clerk, BIN A02  
Department of Health  
4052 Bald Cypress Way  
Tallahassee, FL 32399-1703  
Telephone: (850) 245-4005