

7-2-03

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

03 DEC 29 AM 9:35  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

BEATRICE CRITTENDON,

EEOC Case No. NONE

Petitioner,

At

FCHR Case No. 21-00454

v.

DOAH Case No. 02-3678

SIX-CWS

BAY COUNTY,

FCHR Order No. 03-077

Respondent.

**FINAL ORDER DISMISSING PETITION FOR  
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

Preliminary Matters

Petitioner Beatrice Crittendon filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (1999), alleging that Respondent Bay County committed unlawful employment practices on the basis of Petitioner's race (Black) and on the basis of Petitioner's alleged disability (not specified in complaint) by denying Petitioner transfer to positions for which she had applied.

The allegations set forth in the complaint were investigated, and, on August 15, 2002, 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 Panama City, Florida, on May 6, 2003, before Administrative Law Judge Diane Cleavinger.

Judge Cleavinger issued a Recommended Order of dismissal, dated July 2, 2003.

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

A transcript of the proceeding before the Administrative Law Judge was not filed with the Commission.

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

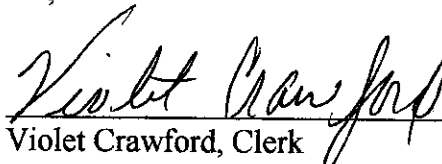
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 26<sup>th</sup> day of DECEMBER, 2003.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Billy Whitefox Stall, Panel Chairperson;  
Commissioner John Corbett; and  
Commissioner Aletta Shutes

Filed this 26<sup>th</sup> day of DECEMBER, 2003,  
in Tallahassee, Florida.



Violet Crawford, Clerk  
Commission on Human Relations  
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Copies furnished to:


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Diane Cleavinger, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 26<sup>th</sup> day of DECEMBER, 2003.

By:   
Clerk of the Commission  
Florida Commission on Human Relations