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FILED
OCT-3 11:53
10-2-03

STATE OF FLORIDA
BOARD OF VETERINARY MEDICINE

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

AX

Petitioner,

vs.

DBPR Case No.: 2003-000200
DOAH Case No.: 03-0609PL
License No.: VM 2404

DWD-6605

ADEL N. ASSAD, D.V.M.,

Final Order No. BPR-2003-02869 Date: **10-2-03**
FILED
Department of Business and Professional Regulation
AGENCY CLERK

Respondent.

Sarah Wachman, Agency Clerk

By: Brandon M. Nichols

FINAL ORDER

THIS CAUSE came before the BOARD OF VETERINARY MEDICINE (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on September 6, 2003, in Lake Buena Vista, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order and Exceptions to the Recommended Order, (copies of which are attached hereto as Exhibits A and B, respectively) in the above-styled cause. Petitioner was represented by Charles F. Tunncliff, Assistant General Counsel. Respondent was present and represented by Thomas V. Infantino, Esquire, at the hearing.

Upon review of the Recommended Order, the Exceptions, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions:

RULING ON EXCEPTIONS

The Board reviewed the Exceptions filed by the Respondent and rejected the exceptions. The Exceptions filed do not specify which Findings of Fact or Conclusions of Law are being challenged. Furthermore, the provisions of Section 455.217, Florida Statutes, apply to licensure examinations; they do not limit the use by Boards of other examinations which are being required for purposes of disciplinary action.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved, adopted and incorporated herein by reference.
2. There is competent substantial evidence to support the findings of fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 474, Florida Statutes.
2. The conclusions of law set forth in the Recommended Order are approved, adopted and incorporated herein by reference.
3. There is competent substantial evidence to support the conclusions of law.

PENALTY

Upon a complete review of the record in this case, the Board determines that the penalty recommended by the Administrative Law Judge be ACCEPTED.

WHEREFORE,


IT IS HEREBY ORDERED AND ADJUDGED that

Respondent's license to practice veterinary medicine is hereby PERMANENTLY REVOKED.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 17 day of September, 2003.

BOARD OF VETERINARY MEDICINE



Robert O'Neil, D.V.M.
Chairman

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING

FEEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been furnished by U.S. Mail to Adel N. Assad, D.V.M., c/o Thomas V. Infantino, Esquire, P.O. Box 30, Winter Park, FL 32792-0030 and to Don W. Davis, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060 by interoffice mail to Charles F. Tunncliff, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202 this 2nd day of October, 2003.

Brandon M. Nichols