

10-13-03

STATE OF FLORIDA  
DEPARTMENT OF EDUCATION

FILED AGENCY CLERK

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GINA M. LAYDEN, )  
)  
Petitioner, )  
)  
vs. )  
)  
DEPARTMENT OF EDUCATION, )  
)  
Respondent. )  
\_\_\_\_\_ )

AT

DEPT OF EDUCATION  
TALLAHASSEE FLA

Case No. DOE - 03-2966  
DOE Agency Case No. 2003-865

SML-CWS

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**FINAL ORDER**

After review of the entire record of this case, the Department of Education hereby enters this Final Order as required by Sections 120.569 and 120.57(1), Florida Statutes.

**ADOPTION OF RECOMMENDED ORDER**

The recommended order of Administrative Law Judge Stuart M. Lerner, issued on October 13, 2003, is hereby adopted and incorporated by reference.

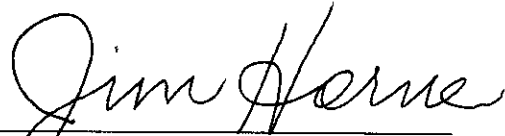
**DISPOSITION**

Based upon the foregoing Findings of Fact and Conclusions of Law in the referenced Recommended Order, it is hereby ORDERED AND ADJUDGED that:

The Florida Department of the Lottery properly paid the full amount of Petitioner's \$3,262.00 lottery prize to Petitioner's outstanding defaulted student loan obligation. The prize shall be applied in partial satisfaction of the Petitioner's outstanding debt to the Department. The Petitioner's outstanding debt to the Department being greater than the net amount of Respondent's prize received from the Department of the Lottery, there is no balance of the prize to be paid to Respondent.

This order becomes effective upon filing with the Agency Clerk of the Department of Education, subject to the Notice of Rights attached hereto and incorporated herein by reference.

DONE AND ENTERED this 3rd day of November, 2003, Tallahassee, Leon County, Florida.



JIM HORNE

Commissioner

Florida Department of Education

Room 1514, Turlington Building

325 W. Gaines Street

Tallahassee, Florida 32399-0400

COPIES FURNISHED TO:

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Florida Administrative Law Reports

Clerk  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399

**Notice of Rights**

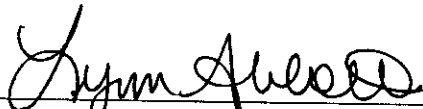
Pursuant to Section 120.68(2), Florida Statutes, and Florida Rule of Appellate Procedure, 9.110(b) and (c), Petitioner is advised that within 30 days of the date of this Final Order he may seek judicial review of this Final Order by filing a Notice of Appeal with the Agency Clerk, Department of Education, Suite 1514 Florida Education Center, 325 West Gaines Street, Tallahassee, Florida 32399-0400, and by filing a second copy of such Notice of Appeal with the appropriate filing fee with the Clerk of the District Court of Appeal, First District, 300 Martin Luther King, Jr., Boulevard, Tallahassee, Florida, 32399-1850, or with the Clerk of the District Court where the Petitioner Resides.

**Certificate of Service**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order in the matter of Gina M. Layden v. Department of Education, DOE Case No. 03-2966, has been furnished by U.S. Mail to:

Gina M. Layden  
10823 Cypress Glen Drive  
Coral Springs, Florida 33071

this 3rd day of November, 2003.

  
\_\_\_\_\_  
Agency Clerk