

5-7-04



FILED

JUN 4 2004

DEPARTMENT OF FINANCIAL SERVICES

Doctated by myu

AT

TOM GALLAGHER
CHIEF FINANCIAL OFFICER

IN THE MATTER OF:

JEAN-RENE JOSEPH
_____ /

04-0004PL

CASE NO. 66923-03-AG

2004 JUN -7 A 1:51
DIVISION OF ADMINISTRATIVE HEARINGS
FILED

FINAL ORDER

MMP - closed

THIS CAUSE came on for consideration and final agency action. On August 13, 2003, a letter was sent by Petitioner, Department of Financial Services, wherein the Department filed an Administrative Complaint, seeking to discipline the licensure of Respondent, JEAN-RENE JOSEPH, as a bail bond agent on the basis of a allegation that the Respondent failed to return a motor vehicle title held as collateral for a bail bond. Pursuant to notice, the matter was heard before Judge Michael M. Parrish, Administrative Law Judge, Division of Administrative Hearings on March 3, 2004 in Miami, Florida.

After consideration of the evidence, argument and testimony presented at hearing, the Administrative Law Judge issued a Recommended Order (Attached as Exhibit A). The Administrative Law Judge found that the document held by the Respondent was not a motor vehicle title, but a photocopy, and recommended that the Department enter a Final Order dismissing the Administrative Complaint, because there was no clear and convincing evidence of an Insurance Code violation.

No exceptions to the Recommended Order were filed.

The Findings of Fact and Conclusions of Law of the Administrative Law Judge are adopted in full as the Department's Findings of Fact and Conclusions of Law.

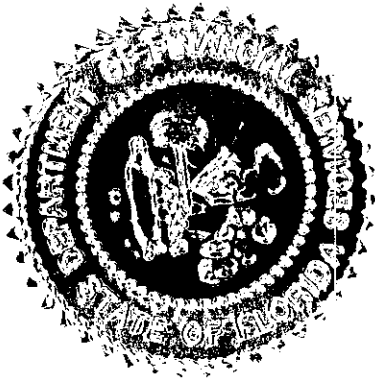
The Administrative Law Judge's recommendation that the Department enter a Final Order dismissing the Administrative Complaint is approved.


ACCORDINGLY, the Administrative Complaint filed by the Department is dismissed.

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of the Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla.R.App.P Review proceedings must be instituted by filing a petition or Notice of Appeal with the General Counsel, acting as the agency clerk, at 200 East Gaines Street, Tallahassee, FL 32399-0333, and a copy of the same and the filing fee with the appropriate District Court of Appeal within thirty (30) days of the rendition of this Order.

DONE and ORDERED this 7th day of June, 2004.




KAREN CHANDLER,
Deputy Chief Financial Officer

COPIES FURNISHED TO:

Jean-Rene Joseph
1718 Mercer Avenue, Apt. B
West Palm Beach, FL 33401-6836

Jean-Rene Joseph
AMERICA'S BEST BAIL BOND
1015 S. Congress Avenue
West Palm Beach, FL 33406-5189

Michael M. Parrish
Administrative Law Judge
Division of Administrative Complaints
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, FL 32399-3060

Dickson Kesler, Esquire
Florida Department of Financial Services
Suite N-321
401 Northwest Second Avenue
Miami, FL 33128