

1-28-05

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

FILED

MILLIE CARLISLE,  
  
Petitioner,  
  
v.  
  
SALLIE MAE, INC.,  
  
Respondent.

EEOC Case No. 15DA300879  
FCHR Case No. 23-02936  
DOAH Case No. 04-1847  
FCHR Order No. 05-037

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DIVISION OF  
ADMINISTRATIVE  
HEARINGS  
SFH  
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At

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

Preliminary Matters

Petitioner Millie Carlisle filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2001), alleging that Respondent Sallie Mae, Inc., committed unlawful employment practices on the basis of Petitioner's race (Black), by subjecting Petitioner to harassment and disparate treatment and by terminating Petitioner from employment, and on the basis of retaliation.

The allegations set forth in the complaint were investigated, and, on April 12, 2004, 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 on December 2, 2004, in Panama City, Florida, before Administrative Law Judge Suzanne F. Hood.

Judge Hood issued a Recommended Order of dismissal, dated January 28, 2005.

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

We find the Administrative Law Judge's findings of fact to be supported by competent substantial evidence.

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

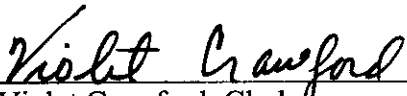
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 8<sup>th</sup> day of March, 2005.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Rita Craig, Panel Chairperson;  
Commissioner Gilbert M. Singer; and  
Commissioner Mario M. Valle

Filed this 8<sup>th</sup> day of March, 2005,  
in Tallahassee, Florida.

  
\_\_\_\_\_  
Violet Crawford, Clerk  
Commission on Human Relations  
2009 Apalachee Parkway, Suite 100  
Tallahassee, FL 32301  
(850) 488-708

NOTICE TO COMPLAINANT / PETITIONER

As your complaint was filed under Title VII of the Civil Rights Act of 1964, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC), you have the right to request EEOC to review this Commission's final agency action. To secure a "substantial weight review" by EEOC, you must request it in writing within 15 days of your receipt of this Order. Send your request to Miami District Office (EEOC), One Biscayne Tower, 2 South Biscayne Blvd., Suite 2700, 27th Floor, Miami, FL 33131.

Copies furnished to:

Millie Carlisle  
105 Detroit Avenue  
Panama City, FL 32401

Sallie Mae, Inc.  
c/o Luisette Gierbolini, Esq.  
Zinober & McCrea, P.A.  
Post Office Box 1378  
201 East Kennedy Boulevard, Suite 800  
Tampa, FL 33601-1378

Suzanne F. Hood, 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 8<sup>th</sup> day of March, 2005.

By: *Krist Crawford*  
Clerk of the Commission  
Florida Commission on Human Relations