

5-5-05

Final Order No. BPR-2005-03890 Date: 7-20-05
FILED

Department of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By: Brandon M. Nichol

STATE OF FLORIDA
BOARD OF PROFESSIONAL ENGINEERS

FLORIDA ENGINEERS MANAGEMENT
CORPORATION,

Petitioner,

vs.

FEMC Case No.: 2004-019932
DOAH Case No.: 04-3197PL
License No.: PE12217

FILED
2005 JUL 25 4:11:18 PM
ADM. SERVICES
DMK
CLOSED

JAMES C. TIPPENS, P.E.,

Respondent.

AT

FINAL ORDER

THIS CAUSE came before the BOARD OF PROFESSIONAL ENGINEERS (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on June 22, 2005, in Safety Harbor, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order, a copy of which is attached hereto as Exhibit A, in the above-styled cause. Petitioner was represented by Douglas D. Sunshine, Prosecuting Attorney. Respondent was represented by Jawdet I. Rubaii, Esquire.

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

FILED
Florida Engineers Management Corporation
Clerk
CLERK Jessica Baker
DATE 7-20-2005

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and 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 471, Florida Statutes.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

DISPOSITION

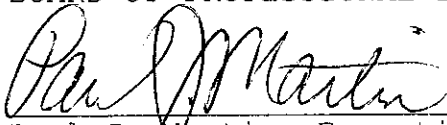
Upon a complete review of the record in this case, the Board determines that the disposition recommended by the Administrative Law Judge be ACCEPTED. WHEREFORE,

IT IS HEREBY ORDERED AND ADJUDGED that the Administrative Complaint is DISMISSED.

This Final Order shall take effect upon being filed with the Clerk of the FLORIDA ENGINEERS MANAGEMENT CORPORATION.

DONE AND ORDERED this 15th day of July,
2005.

BOARD OF PROFESSIONAL ENGINEERS



Paul J. Martin, Executive Director
for Robert L. Matthews, PE, Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to JAMES C. TIPPENS, P.E., c/o Jawdet I. Rubaii, Esquire, 1358 S. Missouri Avenue, Clearwater FL 33756; to Daniel M. Kilbride, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to Douglas D. Sunshine, Esquire, FEMC, 2507 Callaway Road, Suite 200, Tallahassee FL 32303 this _____ day of _____, 2005.



Paul J. Martin, Executive Director
for Robert L. Matthews, PE, Chair

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 FLORIDA ENGINEERS MANAGEMENT CORPORATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES 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.