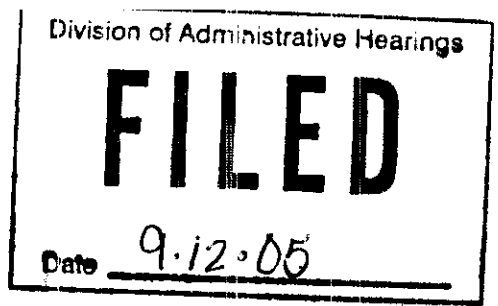


7-13-05



STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

DENITA A. BROWN,

EEOC Case No. 15DA500122

Petitioner,

FCHR Case No. 2005-00019

AT

v.

DOAH Case No. 05-1788 *HLH  
close*

APALACHEE CORRECTIONAL  
INSTITUTION,

FCHR Order No. 05-096

Respondent.

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

This matter is before the Commission for consideration of the Recommended Order, dated July 13, 2005, issued in the above-styled matter by Administrative Law Judge Harry L. Hooper.

Findings of Fact and Conclusions of Law

Judge Hooper's order reflects that Petitioner failed to appear at the scheduled administrative hearing in the matter. Consequently, Judge Hooper recommended the Commission issue a final order dismissing the matter based on Petitioner's failure to establish a prima facie case of discrimination.

We adopt the Administrative Law Judge's finding as to the nonappearance of Petitioner and conclude that Petitioner has failed to carry her burden of proof.

Exceptions

Neither party filed exceptions to the Administrative Law Judge's Recommended Order.

Dismissal

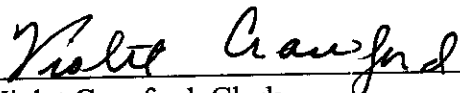
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 of appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 9<sup>th</sup> day of September, 2005.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Mario M. Valle, Panel Chairperson;  
Commissioner Dominique B. Saliba, M.D.; and  
Commissioner Billy Whitefox Stall

Filed this 9<sup>th</sup> day of September, 2005,  
in Tallahassee, Florida.

  
\_\_\_\_\_  
Violet Crawford, Clerk  
Commission on Human Relations  
2009 Apalachee Parkway, Suite 100  
Tallahassee, FL 32301  
(850) 488-7082

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:

Denita A. Brown  
106 Lavenia Lane  
Chattahoochee, FL 32324

Department of Corrections  
c/o Gary L. Grant, Esq.  
2601 Blair Stone Road  
Tallahassee, FL 32399

Harry L. Hooper, 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 9<sup>th</sup> day of September, 2005.

By: Violet Crawford  
Clerk of the Commission  
Florida Commission on Human Relations