

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

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FILED
DIVISION OF
ADMINISTRATIVE
HEARINGS

TEESHA WILLIAMS,

EEOC Case No. 150200503107

Petitioner,

FCHR Case No. 2006-02019

v.

DOAH Case No. 06-3665

NORTH BROWARD HOSPITAL
DISTRICT,

FCHR Order No. 07-008

Respondent.

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

This matter is before the Commission for consideration of the Recommended Order of Dismissal, dated November 21, 2006, issued in the above-styled matter by Administrative Law Judge Patricia M. Hart.

Findings of Fact and Conclusions of Law

The Recommended Order of Dismissal reflects that the matter was before Judge Hart on Respondent's Revised Motion for Recommended Order of Dismissal, and subsequent filings of the parties. The Recommended Order of Dismissal also reflects that a telephone conference on the motion was held on November 13, 2006, and that the findings of fact contained in the Recommended Order of Dismissal were based on the oral and documentary evidence presented at this hearing and on the entire record of this proceeding.

A transcript of the motion hearing before the Administrative Law Judge was not filed with the Commission.

In the absence of a transcript of the proceeding before the Administrative Law Judge, the Recommended Order is the only evidence for the Commission to consider. See National Industries, Inc. v. Commission on Human Relations, et al., 527 So. 2d 894, at 897, 898 (Fla. 5th DCA 1988). Accord, Beach-Gutierrez v. Bay Medical Center, FCHR Order No. 05-011 (January 19, 2005), and Waaser v. Streit's Motorsports, FCHR Order No. 04-157 (November 30, 2004).

We adopt the Administrative Law Judge's finding that the Petition for Relief was not timely filed, and the Administrative Law Judge's conclusion that the Petition for Relief should, therefore, be dismissed.

Exceptions

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

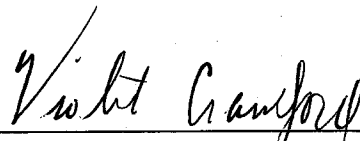
Dismissal

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 14th day of February, 2007.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

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

Filed this 14th day of February, 2007,
in Tallahassee, Florida.



Violet Crawford, Clerk
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Patricia M. Hart, 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 14th day of February, 2007.

By: 
Clerk of the Commission
Florida Commission on Human Relations