

FILED  
FINAL ORDER NO. LW-08-002

08 APR 29 PM 1:20

STATE OF FLORIDA  
LAND AND WATER ADJUDICATORY COMMISSION

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

RE: Rulemaking to Establish the  
Southeastern Community  
Development District.

FLWAC Case No. CDD-07-005  
DOAH Case No. 07-1413

---

**FINAL ORDER OF DISMISSAL**

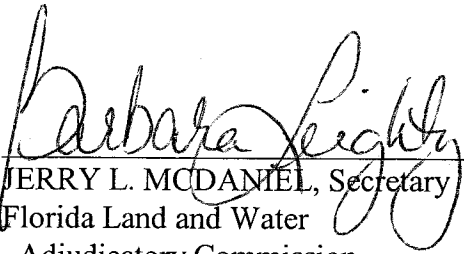
This cause came on for consideration by the Secretary of the Florida Land and Water Adjudicatory Commission ("Commission") through a letter filed on April 23, 2008, on behalf of the Petitioner, The St. Joe Company, withdrawing its Petition to Establish the Southeastern Community Development District. A copy of Petitioner's letter of withdrawal is attached hereto and incorporated as Exhibit A. In light of such withdrawal the Commission is divested of further jurisdiction to proceed. See Orange County v. Debra, Inc., 451 So. 2d 868 (Fla. 1<sup>st</sup> DCA 1983)

IT IS ORDERED that the instant cause is hereby DISMISSED.

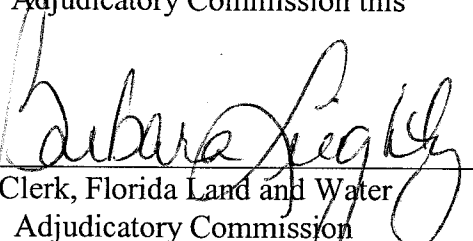
NOTICE OF RIGHTS

Any party to this Order has the right to seek Judicial review of the Final Order pursuant to section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001; and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. Notice of Appeal must be filed within 30 days of the day this Order is filed with the Clerk of the Commission.

DONE AND ORDERED this 13<sup>th</sup> day of April, 2008.

*for*   
TERRY L. MCDANIEL, Secretary  
Florida Land and Water  
Adjudicatory Commission

13<sup>th</sup> FILED with the Clerk of the Florida Land and Water Adjudicatory Commission this  
day of April, 2008.

  
Clerk, Florida Land and Water  
Adjudicatory Commission

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the forgoing was delivered to the following persons by United States Mail, facsimile, or hand delivery this 23rd day of April, 2008.

Honorable Charlie Crist  
Governor  
The Capitol  
Tallahassee, Florida 32399

Honorable Alex Sink  
Chief Financial Officer  
The Capitol  
Tallahassee, Florida 32399

Honorable Bill McCollum  
Attorney General  
The Capitol  
Tallahassee, Florida 32399

Honorable Charles H. Bronson  
Commissioner of Agriculture  
The Capitol  
Tallahassee, Florida 32399

Gerald B. Curington, Esquire  
Governor's Legal Office  
Room 209, The Capitol  
Tallahassee, Florida 32399-0001

Brian A. Crumbaker, Esquire  
Joseph A. Brown, Esquire  
Hopping Green & Sams  
Post Office Box 6526  
Tallahassee, Florida 32301

Mr. Ray Eubanks, Administrator  
Plan Processing Team  
Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Mr. Charles D. Blume, Executive Director  
Apalachee Regional Planning Council  
20776 Central Avenue East  
Suite 1  
Blountstown, Florida 32424

Honorable Robert S. Cohen  
Executive Director/Chief Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-1550

Florida Administrative Law Reports  
Post Office Box 385  
Gainesville, Florida 32602

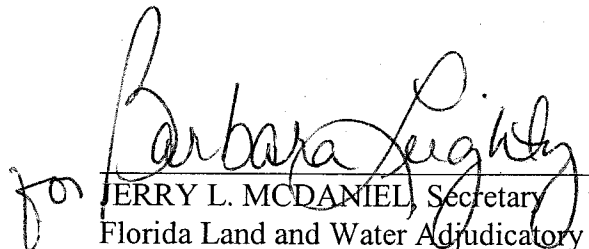
  
for Barbara Lighty  
JERRY L. MCDANIEL, Secretary  
Florida Land and Water Adjudicatory  
Commission

Exhibit A

Hopping Green & Sams

Attorneys and Counselors

April 23, 2008

**VIA HAND DELIVERY**

Ms. Barbara Leighty  
Florida Land and Water Adjudicatory Commission  
1801 The Capitol  
Tallahassee, Florida 32399

RE: Petition to Establish the Southeastern Community Development District: DOAH  
Case No. 07-1413; FLWAC Case No. CDD-07-005

Dear Ms. Leighty:

The purpose of this letter is to advise you that the petitioner in the above matter, The St. Joe Company, is formally withdrawing its Petition to Establish the Southeastern Community Development District ("Petition"). Withdrawal of the Petition divests The Florida Land and Water Adjudicatory Commission ("FLWAC") of jurisdiction to proceed, and therefore proceedings in the above titled matter should be terminated and the requested public hearing before FLWAC currently scheduled for April 24, 2008, at 10:00 a.m., regarding the proposed rule establishing the Southeastern Community Development District should be canceled. See Orange County v. Debra, Inc., 451 So.2d 868 (Fla. 1st DCA 1983) (holding withdrawal of petition submitted pursuant to Chapter 190 deprives FLWAC of jurisdiction to proceed). As agent of petitioner in this matter, I have been instructed to effect withdrawal of the Petition and request termination of these proceedings.

At your convenience, please contact me to confirm withdrawal of the Petition and cancellation of the scheduled public hearing in this matter. Should you have any questions or concerns regarding the foregoing, please let me know.

Sincerely,

  
Brian A. Crumbaker

Cc: Bill Wier  
Melissa Hornsby