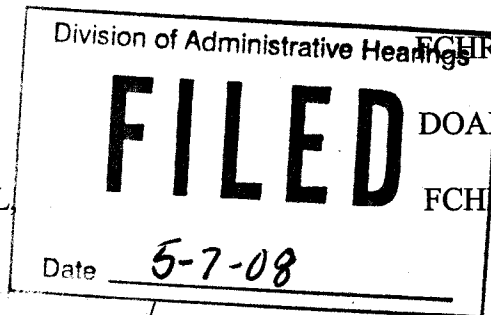


STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

CORRINE HAMILTON,

EEOC Case No. 15D200700451

Petitioner,



FCHR Case No. 2007-01186

v.

DOAH Case No. 07-3369

FLORIDA STATE HOSPITAL

FCHR Order No. 08-027

Respondent.

**ORDER REMANDING PETITION FOR
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

This matter is before the Commission for consideration of the Recommended Order, dated March 5, 2008, issued in the above-styled matter by Administrative Law Judge P. Michael Ruff.

Findings of Fact and Conclusions of Law

The Recommended Order reflects that it was served on Petitioner at the address of 440 South Cone Street, Quincy, Florida, 32351. This is the address indicated for Petitioner on the Petition for Relief filed by Petitioner.

The record reflects that, after the administrative hearing in this matter, Petitioner filed with the Administrative Law Judge an ex parte communication and a proposed order, both designating Petitioner's address as 605 E. Betlinet Drive, Quincy, Florida, 32351.

We are concerned that Petitioner may not have received a copy of the Recommended Order, thereby impacting Petitioner's ability to file exceptions to the Recommended Order should Petitioner desire to do so.

Consequently, we remand the matter to the Division of Administrative Hearings for the re-issuance of the Recommended Order, using the later-filed address for Petitioner (605 E. Betlinet Drive, Quincy, Florida, 32351), starting anew Petitioner's time for filing exceptions. Accord Van Sandt-Fuller v. Coastal Cosmetic Center, Inc., FCHR Order No. 06-051 (May 24, 2006), and Francis v. Department of Juvenile Justice, FCHR Order No. 06-094 (November 13, 2006). (We note that in both Van Sandt-Fuller and Francis, supra, which were remanded to the respective Administrative Law Judges for the same reason as this case, the Administrative Law Judges, upon reviewing the computer mail-out system of the Division of Administrative Hearings, subsequently found that the Recommended Orders had been mailed to the correct addresses and that the addresses on the Recommended Orders were typographical errors. The Administrative Law Judges consequently declined the Commission's remand of the cases. See, for Van Sandt-Fuller, "Order Declining Remand" in DOAH Case 05-4057, dated June 5, 2006, and for Francis, "Order Declining Remand" in DOAH Case 05-2958, dated November 20, 2006.)

Exceptions

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

Remand

The Petition for Relief and Complaint of Discrimination are REMANDED to the Division of Administrative Hearings for the re-issuance of the Recommended Order, as indicated above.

DONE AND ORDERED this 6th day of May, 2008.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Donna Elam, Panel Chairperson;
Commissioner Anice R. Prosser; and
Commissioner Gilbert M. Singer

Filed this 6th day of May, 2008,
in Tallahassee, Florida.



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

Copies furnished to:

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Quincy, FL 32351

Corrine Hamilton
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Quincy, FL 32351

Florida State Hospital
c/o Jacqueline H. Smith, Esq.
Department of Children and Family Services
Post Office Box 1000
Chattahoochee, FL 32324-1000

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P. Michael Ruff, 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 6th day of May, 2008.

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