

STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

FILED
08 JUL 21 AM 10:26
DIVISION OF
ADMINISTRATIVE
HEARINGS

DEPARTMENT OF CHILDREN AND
FAMILY SERVICES,

Petitioner,

CASE NO. 07-5778
RENDITION NO. DCF-08- 139 -FO

v.

MERCEDES GONZALEZ,

Respondent.

FILED

JUL 14 2008

DCF Department Clerk

FINAL ORDER

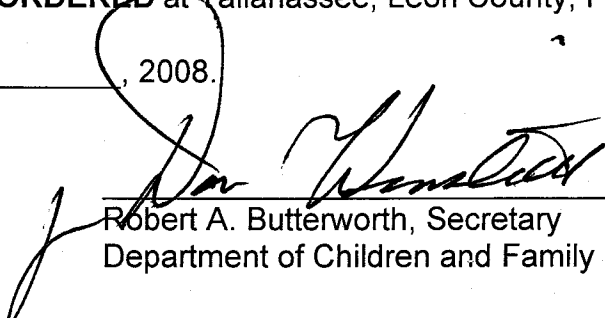
THIS CAUSE is before me for entry of a Final Order. The Recommended Order finds that respondent permitted a convicted felon to reside in her licensed foster home and that respondent affirmatively concealed that fact from foster care licensing personnel. The administrative law judge (ALJ) recommended that the Department revoke respondent's foster care license.

The Department granted respondent an extension of time until May 26 to file exceptions to the Recommended Order. Respondent, on June 2, sent the Department's Agency Clerk an email¹ that states her commitment to being a parent and her devotion to the specific foster child impacted in this case. Respondent's untimely email expresses disagreement with the Recommended Order, but does not allege or demonstrate that any finding of fact lacks support in the record or that any conclusion of law is erroneous. Respondent's email

does not meet the requirements for exceptions set forth in section 120.57(1)(k), Florida Statutes, and does not support modification of the Recommended Order.

The Recommended Order is approved and adopted. Accordingly, respondent's foster care license issued under section 409.175, Florida Statutes, is hereby REVOKED.

DONE AND ORDERED at Tallahassee, Leon County, Florida, this 14 day of July, 2008.


Robert A. Butterworth, Secretary
Department of Children and Family Services

RIGHT TO APPEAL

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES, WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF CHILDREN AND FAMILIES, AND A SECOND COPY ALONG WITH FILING FEE AS PRESCRIBED BY LAW, IN THE DISTRICT COURT OF APPEAL WHERE A PARTY RESIDES OR IN THE FIRST DISTRICT COURT OF APPEAL. REVIEW PROCEEDINGS SHALL BE CONDUCTED IN ACCORDANCE WITH THE FLORIDA RULES OF APPELLATE PROCEDURE. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

Copies furnished to:

T. Shane DeBoard
Acting Regional Legal Counsel
Department of Children and Family Services
400 West Robinson Street, S-1114
Orlando, FL 32801

Jerry Pitzer
Qualified Representative
5338 North Woodcrest Drive
Winter Park, FL 32792

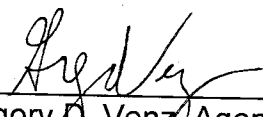
¹ The Agency Clerk had previously explained to respondent that the Department does not accept email filing.

Maria Nistri
Licensing and Background Screening
Department of Children and Family Services
400 West Robinson Street, S-912
Orlando, FL 32801

Claudia Llado, Clerk
Division of Administrative Hearing
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, FL 32399-3060

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Final Order was provided to the above-named individuals at the listed addresses, by U.S. Mail, this 15 day of July, 2008.



Gregory D. Venz, Agency Clerk
Department of Children and Families
1317 Winewood Blvd.
Bldg. 2, Rm. 204-X
Tallahassee, FL 32399-0700
Ph: (850) 488-2381