

DISTRICT COURT OF APPEAL
FIRST DISTRICT
STATE OF FLORIDA
TALLAHASSEE, FLORIDA 32399-1850

JON S. WHEELER
CLERK OF THE COURT

FILED
2009 JUL 24 A 10: 38
DIVISION OF
ADMINISTRATIVE
HEARINGS
(850) 488-6151

July 23, 2009

Claudia Llado, Clerk
Division Of Admin. Hearings
1230 Apalachee Parkway
Desoto Bldg.
Tallahassee, FL 32399-3060

RE: Board of Medicine v. Francisco Vazquez, M.D.

Docket No: 1D08-1914
Lower Tribunal Case No.: 08-0490 RU

Dear Ms. Llado:

I have been directed by the court to issue the attached mandate in the above-styled cause. It is enclosed with a certified copy of this Court's opinion.

Yours truly,

Jon S. Wheeler
Clerk of the Court

JSW/jm

Enclosures

c: (letter and mandate only)

Lisa Ann McGlynn,
A.A.G.

Hon. Bill Mc Collum,
A.G.

Edward A. Tellechea,
A.A.G.

Michael P. Gennett

Donna Canzano McNulty,
A.A.G.

Stephen T. Maher

MANDATE

From

DISTRICT COURT OF APPEAL OF FLORIDA FIRST DISTRICT

To Larry J. Sartin, Division of Administrative Hearings

WHEREAS, in the certain cause filed in this Court styled:

BOARD OF MEDICINE

Case No : 1D08-1914

v.

Lower Tribunal Case No : 08-0490 RU

FRANCISCO VAZQUEZ, M.D.

The attached opinion was issued on May 29, 2009.

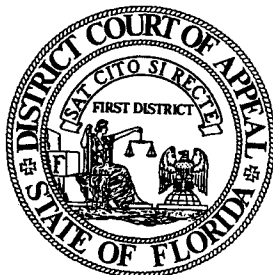
YOU ARE HEREBY COMMANDED that further proceedings, if required, be had in accordance with said opinion, the rules of Court, and the laws of the State of Florida.

WITNESS the Honorable PAUL M. HAWKES, Chief Judge

of the District Court of Appeal of Florida, First District,

and the Seal of said Court done at Tallahassee, Florida,

on this 23rd day of July 2009.



Jon S. Wheeler

JON S. WHEELER, Clerk
District Court of Appeal of Florida, First District

FILED
2009 JUL 24 A 10:39
DIVISION OF
ADMINISTRATIVE
HEARINGS

FILED

2009 JUL 24 A 10:51

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

BOARD OF MEDICINE, DIVISION OF
ADMINISTRATIVE
HEARINGS
Appellant,

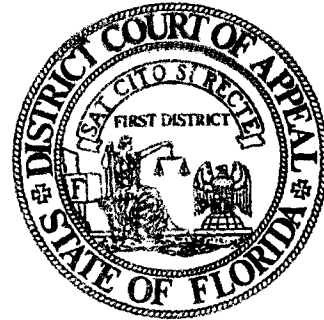
NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D08-1914

FRANCISCO VAZQUEZ, M.D.,

Appellee.



Opinion filed May 29, 2009.

An appeal from Division of Administrative Hearings.
Larry J. Sartin, Judge.

Bill McCollum, Attorney General; Edward A. Tellechea, Senior Assistant Attorney
General; Garnett W. Chisenhall, Donna Canzano McNulty and Lisa Ann McGlynn,
Assistant Attorneys General, Tallahassee, for Appellant.

Stephen T. Maher of Shutts & Bowen, LLP, Miami; Michael P. Gennett of
Akerman Senterfitt, Miami, for Appellee.

PER CURIAM.

We affirm in all respects the finding of the administrative law judge that the
challenged agency statement constitutes a rule which has not been adopted
pursuant to section 120.54, Florida Statutes.

AFFIRMED.

I CERTIFY THE ABOVE
TO BE A TRUE COPY
Jon S. Wheeler
JON S. WHEELER
CLERK DISTRICT COURT OF
APPEAL, FIRST DISTRICT