



REPRESENTING
ALEX SINK
 CHIEF FINANCIAL OFFICER
 STATE OF FLORIDA

FILED

JAN 23 2009

Chief Financial Officer
 Docketed by: *[Signature]*

IN THE MATTER OF

DIONARIS CABRERA, d/b/a FLORIDA)
 SUNSET SHUTTLE, INC.; FLORIDA)
 SUNSET SHUTTLE, INC., A)
 DISSOLVED FLORIDA CORPORATION;)
 AND FLORIDA SUNSET SHUTTLES)
 AND CHARTERS, INC., A FLORIDA)
 CORPORATION)

CASE NO. 93958-08-WC

000242

2009 JAN 26 A 10:53
 FILED
 DIVISION OF ADMINISTRATIVE SERVICES

FINAL ORDER

This cause came on for consideration of and final agency action on the Recommended Order issued on December 8, 2008, by Administrative Law Judge Daniel M. Kilbride, after a formal hearing conducted July 25, 2008, by video teleconference in Tallahassee and Orlando, Florida pursuant to Section 120.57(1), Florida Statutes.

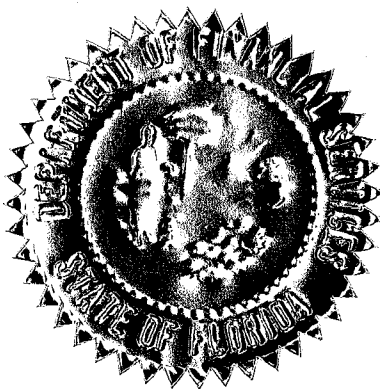
Petitioner's exceptions to the December 8, 2008, Recommended Order were not filed with this agency until December 28, 2008, twenty days after rendition of the Recommended Order. Section 120.57(1)(k), Fla. Stat., and Rule 28-106.217, F.A.C. allow no more than fifteen (15) days for the filing of exceptions following the rendition of the Recommended Order. Therefore, filing had to be accomplished no later than December 23, 2008. No excusable neglect was show in association with the late filing of the Petitioner's exceptions. Thus, the exceptions were untimely filed and therefore were not considered.

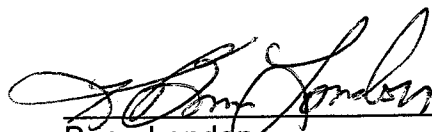
After review of the record, including the transcript of proceedings and admitted exhibits, and being otherwise fully apprised in all material premises,

IT IS HEREBY ORDERED that the ALJ's Findings of Fact and Conclusions of Law set forth in the Recommended Order are adopted as the Department's Findings of Fact and Conclusions of Law, and that the Stop-Work Order issued against Dionaris Cabrera, d/b/a Florida Sunset Shuttle, Inc. is dismissed.

IT IS HEREBY FURTHER ORDERED that the Stop-Work Order and Order of Penalty Assessment issued by the Division of Workers' Compensation issued against Florida Sunset Shuttles and Charters (a successor corporation) is affirmed, and that the Order Applying Stop-Work Order and Amended Order of Penalty Assessment issued is also affirmed. Florida Sunset Shuttles and Charters, Inc. shall cease all business operations unless and until it provides evidence satisfactory to the Division of Workers' Compensation of having now complied with the workers' compensation law by securing the necessary workers' compensation insurance coverage for covered employees and, pursuant to Section 440.107(7) (a), Florida Statutes, paying the civil penalty imposed herein in the amount of \$131,604.60 to the Department.

DONE AND ORDERED this 23 day of January, 2009.





Brian London
Deputy Chief Financial Officer

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel, acting as the agency clerk, at 612 Larson Building, Tallahassee, Florida, and a copy of the same with the appropriate district court of appeal within thirty (30) days of rendition of this Order.

Copies to:

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Daniel M. Kilbride, Administrative Law Judge
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