

STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES

FILED

2009 AUG 14 P 1:34

DIVISION OF
ADMINISTRATIVE
HEARINGS

KAREN GARCIA,
Petitioner,

vs.

Case No. OGC 07-13267
DOAH Case No. 08-3729

DEPARTMENT OF MANAGEMENT SERVICES,
DIVISION OF RETIREMENT,

Respondent.

DEPARTMENT OF MANAGEMENT SERVICES
DIVISION OF RETIREMENT'S
ORDER CLOSING FILE

Petitioner filed a Notice of Withdrawal of Petition Without Prejudice with the Division of Administrative Hearings. Based on the Notice of Withdrawal, the Division of Administrative Hearings issued an Order closing its file, a copy of which is attached. (See Exhibits A & B attached). Petitioner has no further point of entry in the administrative proceedings and the Department of Management Services, Division of Retirement, now lacks jurisdiction to consider the claim. In view of the Order from the Division of Administrative Hearings, the Department of Management Services hereby closes its file in this case.

DONE and ORDERED at Tallahassee, Leon County, Florida, this 11 day of

Aug, 2009.



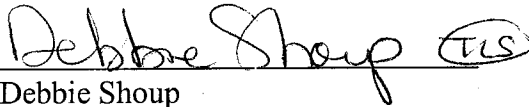
Linda H. South, Secretary
Department of Management Services
4050 Esplanade Way
Tallahassee, Florida 32399-0950
(850) 488-2786

NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this order closing file is entitled to Judicial review pursuant to Section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Notice of Appeal with the Agency Clerk of the Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, and a second copy, accompanied by filing fees prescribed by law, with the District Court of Appeal, First District, or with the District Court of Appeal in the Appellate District where the party resides. The notice of appeal must be filed within 30 days of rendition of the order to be reviewed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this Order Closing File was filed in the official records of the Department of Management Services and copies were furnished to: Larry D. Scott, Assistant General Counsel, Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950; Jane M. Letwin, Esquire, 5426 SW 25th Avenue, Fort Lauderdale, Florida 33312, and Judge Eleanor Hunter, Division of Administrative Hearings, the DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, this 12th day of August, 2009.


Debbie Shoup
Clerk
Department of Management Services
(850) 487-1082

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

KAREN GARCIA

Petitioner,

v.

CASE NO. 08-3729

DEPARTMENT OF
MANAGEMENT SERVICES,
DIVISION OF RETIREMENT,

Respondent.

_____/_____
PETITIONER'S NOTICE OF WITHDRAWAL OF PETITION

Petitioner, KAREN GARCIA, through undersigned Counsel, hereby files this

Petitioner's Notice of Withdrawal of her Petition without prejudice.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 21st, 2009, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified in the attached service list via transmission of Notice of Electronic Filing generated by CM/ECF and via e-mail to Larry D. Scott, Esq., Asst. Gen'l Counsel, DMS, Division of Retirement, 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399-0950.

By: s/Jane Letwin, Esq.

FLA.BAR NO. 990329

Law Office of Jane M. Letwin

Attorney for Plaintiffs

5426 SW 25th Avenue, Fort Lauderdale FL 33312

Tel: 954 297 4057; Fax: 954 301 8401

EXHIBIT

"A"

SERVICE LIST

Marylin Batista-McNamara, Esq.
Office of the School Board Attorney
600 SE Third Avenue, 11th Floor
Fort Lauderdale Fl 33301