

**Department of Business and Professional Regulation
Division of Alcoholic Beverages and Tobacco
Northwood Centre
1940 North Monroe Street
Tallahassee, Florida 32399-1020**

**Department of Business and Professional Regulation
Division of Alcoholic Beverages and Tobacco**
PETITIONER

vs.

**Saurel Tales
d/b/a Miami Shop #4**

RESPONDENT

CASE NO. 2008-058952
DOAH NO. 09-1461
LICENSE NO. 23-27577
SERIES: 2APS

FINAL ORDER

This matter comes before me for final Agency Order.

The issue before me is whether Petitioner proved by clear and convincing evidence that Respondent is guilty of the offense alleged in the Administrative Action dated November 19, 2008

PRELIMINARY STATEMENT

1. On November 19, 2009, the Division issued an administrative action against Respondent.
2. Respondent filed a timely request for a formal hearing, citing disputed issues of fact.
3. A formal hearing was conducted by Administrative Law Judge Claude B. Arrington on July 6, 2009.
4. A Recommended Order was issued by the Administrative Law Judge on August 25, 2009
5. Exceptions to the Recommended Order were not received from either party.

FINDINGS OF FACT

6. A thorough review of the entire record of this matter reveals that the findings of fact contained in the recommended order are based on competent, substantial evidence and that the proceedings on which the findings were based complied with the essential requirements of the law.

7. The Division hereby adopts and incorporates by reference the Findings of Fact as set forth in the Recommended Order.

CONCLUSIONS OF LAW

8. A thorough review of the entire record in this matter indicates that the Conclusions of Law contained in the Recommended Order are reasonable and correct interpretations of the law based on the Findings of Fact.

9. The Division hereby adopts and incorporates by reference the Conclusions of Law as set forth in the Recommended Order.

10. This Final Order is entered after a review of the complete record.

ORDER

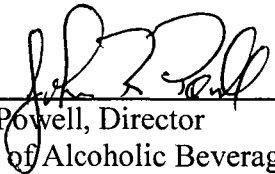
Having fully considered the complete record of this case and the Recommended Order of the Administrative Law Judge, I hereby adopt the Recommended Order and find that Respondent did violate Section 562.02, Florida Statutes.

It is ORDERED that Respondent pay a civil penalty in the amount of \$1,000.00. Payment must be received on or before October 23, 2009, and must be submitted to the District Enforcement Office located at 8240 NW 52 Terrace, #303, Doral, Florida 33166.

Failure to fully comply with the terms of this Final Order will result in the initiation of proceedings to revoke the license as provided in Section 561.29(1) (k), Florida Statutes.

DONE and ORDERED at Tallahassee, Florida, this 15 day of September 2009.





John R. Powell, Director
Division of Alcoholic Beverages and Tobacco

This *Order* of the Director of the Division of Alcoholic Beverages and Tobacco will become final unless judicial review is initiated within 30 days of the date of rendition. The rendition date is the date the *Order* is filed by the Agency Indexing Clerk. Judicial review may be commenced by filing an original *Notice of Appeal* with the Clerk of the Division of Alcoholic Beverages and Tobacco and a copy, accompanied by filing fees prescribed by law, with the appropriate District Court of Appeal, pursuant to Section 120.68, Florida Statutes and Rule 9.110, F.R.A.P. A transcript of the informal hearing may be obtained upon written request received no later than 60 days from the rendition date of this Order.

Mail Certification: This Final Order was sent by Certified Mail

_____ to:

Saurel Tales
Miami Shop, No. 4
1024 Northwest 100th Street
Miami, FL 33150

By: _____ Mail Date: _____

Additional copies mailed to:

District Enforcement/Licensing Office

Michael Golen
Assistant General Counsel
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Tallahassee, FL 32399

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The DeSoto Building,
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