

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

ROGER P. KELLEY,

Petitioner,

v.

OFFICE OF INSURANCE REGULATION,

Respondent.

2010 JAN 14 A 10:30 EEOC Case No. 15D200900114

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

FCHR Case No. 2009-00213

DOAH Case No. 09-2553

FCHR Order No. 10-003

**FINAL ORDER DISMISSING PETITION FOR  
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

This matter is before the Commission for consideration of the Order Closing File, dated October 29, 2009, issued in the above-styled matter by Administrative Law Judge Lawrence P. Stevenson.

Findings of Fact and Conclusions of Law

Judge Stevenson's order reflects that the matter was before him on Petitioner's Motion to Close File and Relinquish Jurisdiction. A review of that filing indicates that the matter has been settled. Judge Stevenson consequently closed the file of the Division of Administrative Hearings and relinquished jurisdiction of the matter to the Commission.

Based on Judge Stevenson's order and the above-referenced motion, we conclude that the matter has been settled, and we conclude that the Complaint of Discrimination and Petition for Relief should be dismissed with prejudice. Accord, generally, Deloach v. Country Hearth, FCHR Order No. 08-051 (July 29, 2008), and Fletcher v. Edward Waters College, FCHR Order No. 07-001 (January 17, 2007).

Exceptions

Neither party filed exceptions to the Administrative Law Judge's Order Closing File.

Dismissal

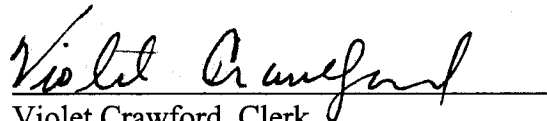
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive notice of appeal within 30 days of the date this Order is filed with the Clerk of the Commission. Explanation of the right of appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 13<sup>th</sup> day of January, 2010.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Donna Elam, Panel Chairperson;  
Commissioner Watson Haynes, II; and  
Commissioner Mario M. Valle

Filed this 13<sup>th</sup> day of January, 2010,  
in Tallahassee, Florida.



Violet Crawford, Clerk  
Commission on Human Relations  
2009 Apalachee Parkway, Suite 200  
Tallahassee, FL 32301  
(850) 488-7082

NOTICE TO COMPLAINANT / PETITIONER

As your complaint was filed under Title VII of the Civil Rights Act of 1964, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC), you have the right to request EEOC to review this Commission's final agency action. To secure a "substantial weight review" by EEOC, you must request it in writing within 15 days of your receipt of this Order. Send your request to Miami District Office (EEOC), One Biscayne Tower, 2 South Biscayne Blvd., Suite 2700, 27th Floor, Miami, FL 33131.

Copies furnished to:

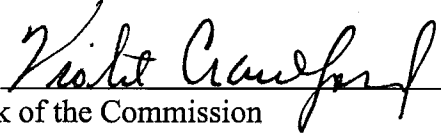
Roger P. Kelley  
c/o Ryan B. Hobbs, Esq.  
Marie A. Mattox, P.A.  
310 East Bradford Road  
Tallahassee, FL 32303

Office of Insurance Regulation  
c/o Kim M. Fluharty, Esq.  
Department of Financial Services  
612 Larson Building  
200 East Gaines Street  
Tallahassee, FL 32399-0333

Lawrence P. Stevenson, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 13<sup>th</sup> day of January, 2010.

By:   
Clerk of the Commission  
Florida Commission on Human Relations