

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 09-3354
DMV CASE NO. 09-1124
FINAL ORDER #: HSMV-09-1137 -S-DMV

FILED
DIVISION OF
ADMINISTRATIVE
HEARINGS
JUL 28 4 10:25

JMSTAR POWERSPORTS, INC., AND
JOHN T. FAULKNER d/b/a
FAULKNER MOTORSPORTS,

Petitioners,

vs.

PINE WOODS CENTER, INC., d/b/a
PASCO CYCLE,

Respondent.

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File by Daniel Manry,, Administrative Law Judge of the Division of Administrative Hearings, pursuant to Petitioner's request for withdrawal, a copy of which is attached and incorporated by reference in this order. The Department hereby adopts the Order Closing File as its Final Order in this matter.

Accordingly, it is hereby

ORDERED that this case is CLOSED and no license will be issued to JMSTAR Powersports, Inc. and John T. Faulkner d/b/a Faulkner Motorsports to sell motorcycles manufactured by Shanghai Honling Motorcycle Co. Ltd. (HONL) at 4237 US Highway 19, New Port Richey (Pasco County), Florida 34652.

DONE AND ORDERED this 22nd day of July, 2009, in Tallahassee, Leon County,
Florida.



CARL A. FORD, Director
Division of Motor Vehicles
Department of Highway Safety
and Motor Vehicles
Neil Kirkman Building
Tallahassee, Florida 32399

Filed with the Clerk of the
Division of Motor Vehicles
this 22nd day of July, 2009.

NOTICE OF APPEAL RIGHTS

Judicial review of this order may be had pursuant to section 120.68, Florida Statutes, in the District Court of Appeal for the First District, State of Florida, or in any other district court of appeal of this state in an appellate district where a party resides. In order to initiate such review, one copy of the notice of appeal must be filed with the Department and the other copy of the notice of appeal, together with the filing fee, must be filed with the court within thirty days of the filing date of this order as set out above, pursuant to Rules of Appellate Procedure.

CAF/vlg

Copies furnished:

John T. Faulkner
Faulkner Motorsports
4237 US Highway 19
New Port Richey, Florida 34652

Andrew Hennosy
Connie Hennosy
Pine Woods Center, Inc.,
d/b/a Pasco Cycle
10312 State Road 52
Hudson, Florida 34669

Yenong Xie
JMSTAR Powersports, Inc.
796 Sunflower Circle
Weston, Florida 33327

Michael J. Alderman, Esquire
Department of Highway Safety
and Motor Vehicles
Neil Kirkman Building
2900 Apalachee Parkway, Room A432
Tallahassee, Florida 32399

Daniel Manry
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550

Nalini Vinayak
Dealer License Administrator

Florida Administrative Law Reports
Post Office Box 385
Gainesville, Florida 32602

ATTN: Mr. Daniel Manry

amended

06-29-06

YX

JMSTAR POWERSPORTS INC

796 SUNFLOWER CIR, WESTON, FL 33327

TEL: 954 684 9724, FAX: 954 B389 6138, E-MAIL: PANDAINDUSTRY@MSN.COM

CANCEL THE APPOINTMENT OF ADDITIONAL DEALER

06.26.09

Daniel Manry, Administrative Law Judge
Division of Administrative Hearings
The DeSoto Buid, 1230 Apalachee Pwy
Tallahassee, Florida 32399-3060
Tel: 850 488 9675, Fax: 850 921 6847

Dear Mr. Manry:

add KAIT

Case No. 09-3354

I decide to cancel my appointment of PINE WOODS CENTER INC, d/b/a PASCO CYCLE as my franchise dealer of products of JMST, ZXYV, HONL. Due to this company never buy any products from my company since was approved as my franchise dealer. So, there is no need for any hearing any more.

Sincerely,
Yenong Xie President



CC: Pine woods center, Inc
John T. Faulkner

Dear Mr. Daniel Manry:

Re. your letter of June 30, 2009. This dealer "pine woods center" has no right to protest my pitition, Due to, it never buy any motorcycle from me since it was appointed as my dealer for two years. It even never communicates with me. Now I send a pitition to DMV to cance terminate its dealership. yenong xie 07.08.09