

STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 09-3355  
DMV CASE NO. 09-1123  
FINAL ORDER #: HSMV-09-1127-S-DMV

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

Petitioners,

vs.

NEW WAVE CYCLE, INC.,

Respondent.

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**FINAL ORDER**

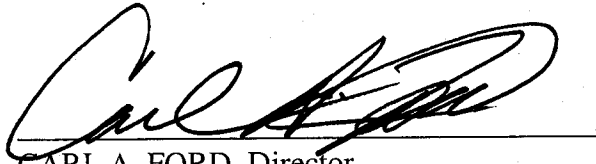
This matter came before the Department for entry of a Final Order upon submission of an Order Closing File by Daniel Manry,, Administrative Law Judge of the Division of Administrative Hearings, pursuant to Petitioner's request for withdrawal, a copy of which is attached and incorporated by reference 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 Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 4237 US Highway 19, New Port Richey (Pasco County), Florida 34652.

2009 JUL 28 A 10:25  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS  
FILED

DONE AND ORDERED this 22<sup>nd</sup> 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 22<sup>nd</sup> 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

Gary McCarthy  
New Wave Cycles, Inc.  
14813 US Highway 19  
Hudson, Florida 34667

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: Daniel Manry

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

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

06.26.09

Dear Mr. Daniel Manry:

Case No. 09-3355

I decide to cancel my petition of appoint additional dealer at Case No. 09-3355. So, there is no need for any hearing any more.

Sincerely,  
Yenong Xie President

CC: New Wave Cycle, Inc  
John T. Faulkner

*This is for Xingyue motorcycle in FG.*



Dear Mr. Daniel Manry:

*I decide to cancel my petition, so the case can be closed.*

*Yenong Xie*

*07.08.09 send by second time.*