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Final Order No. DOH-10-2869 -MQA
FILED DATE -12-22-10
Department of Health

By: Angela Souders
Deputy Agency Clerk
FILED

**STATE OF FLORIDA
BOARD OF OSTEOPATHIC MEDICINE**

JAMES D. ZEBRANEK, D.O.,

Petitioner,

vs.

DOAH Case No.: 09-5188

BOARD OF OSTEOPATHIC MEDICINE,

Respondent.

_____ /

FINAL ORDER

THIS CAUSE came before the Board of Osteopathic Medicine pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on November 6, 2010, in Tampa, Florida, for the purpose of considering the Administrative Law Judge's Order Relinquishing Jurisdiction and Closing File in the above-styled cause. Petitioner was represented by Richard Withers, Esquire. Respondent was represented by Donna Canzano McNulty, Esquire. Neither Petitioner nor Mr. Withers were present for the Board's consideration of the Administrative Law Judge's Order.

Upon review of the Administrative Law Judge's Order and after a review of the complete record in this case, the Board determined to adopt the Administrative Law Judge's Order Relinquishing Jurisdiction and Closing File and continue to deny Petitioner's Petition to Reinstate Licensure.

WHEREFORE,

2010 DEC 23 A 11:26
DIVISION OF
ADMINISTRATIVE
HEARINGS

IT IS HEREBY ORDERED AND ADJUDGED that the Administrative Law Judge Order Relinquishing Jurisdiction and Closing File is ADOPTED and that Dr. Zebranek's Petition to Reinstate License is DENIED.

DONE AND ORDERED this 7 day of December, 2010.

BOARD OF OSTEOPATHIC MEDICINE



Anthony Jusevitch
Executive Director
for Joel Rose, D.O., Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER 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 HEALTH 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 THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by certified U.S. Mail to **Richard W. Withers, Esquire**, Bogins, Munns & Munns, P.A., P.O. Box 2897, 2610 Technology Drive, Orlando, Florida 32802-2807; to **William F. Quattlebaum**, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; to **Donna McNulty, Esquire**, by interoffice delivery; and to **Renee Alsobrook, Esquire**, Department of Health, 4052 Bald Cypress Way, Bin #A-02, Tallahassee, Florida 32399-1701.

THIS 22 day of December, 2010


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