

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED
AHCA
AGENCY CLERK

AVALON'S ASSISTED LIVING III, LLC,

2013 NOV -1 P 12: 20

Petitioner,

DOAH CASE NO. 09-6342
AHCA NO. 2009010570

v.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

DIVISION OF ADMINISTRATIVE HEARINGS

Respondent.

DATE

E-FILED

11/4/13

FINAL ORDER

This cause was referred to the Division of Administrative Hearings where the assigned Administrative Law Judge (ALJ), J. Lawrence Johnston entered a Recommended Order of Dismissal after the Petitioner failed to comply with the ALJ's orders concerning discovery. The Recommended Order of Dismissal dated October 9, 2013, is attached to this Final Order and incorporated herein by reference.

FINDINGS OF FACT

The Agency adopts the findings of fact set forth in the Recommended Order of Dismissal.

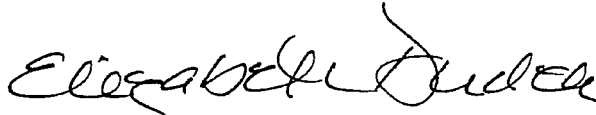
CONCLUSIONS OF LAW

The Agency adopts the conclusions of law set forth in the Recommended Order in the Recommended Order of Dismissal.

ORDER

Based upon the foregoing, the Petitioner's Petition for Formal Administrative Proceeding is hereby dismissed with prejudice and the Agency's September 15, 2009 Notice of Intent to Deny is hereby upheld. The parties shall govern themselves accordingly.

DONE and ORDERED this 30 day of October, 2013, in Tallahassee,
Florida.



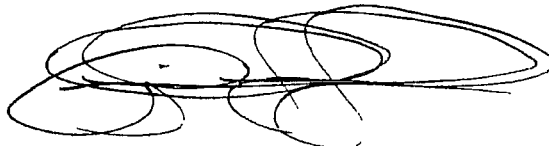
ELIZABETH DUDEK, SECRETARY
AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW, WHICH SHALL BE INSTITUTED BY FILING THE ORIGINAL NOTICE OF APPEAL WITH THE AGENCY CLERK OF AHCA, AND A COPY, ALONG WITH THE FILING FEE PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE AGENCY MAINTAINS ITS HEADQUARTERS OR WHERE A PARTY RESIDES. REVIEW PROCEEDINGS SHALL BE CONDUCTED IN ACCORDANCE WITH THE FLORIDA APPELLATE RULES. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF THE 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 furnished by U.S. or interoffice mail to the persons named below on this 1st day of November, 2013.



RICHARD J. SHOOP, Agency Clerk
Agency for Health Care Administration
2727 Mahan Drive, MS #3
Tallahassee, FL 32308
(850) 412-3630

COPIES FURNISHED TO:

Honorable J. Lawrence Johnston
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Division of Administrative Hearings
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