

STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES

SHERIDAN CHESTER,

Final Order No. DMS – 10-0101

Petitioner,

vs.

DOAH Case No. 10-1255

DMS No.: 09-17181

DEPARTMENT OF MANAGEMENT SERVICES,
DIVISION OF RETIREMENT,

Respondent.

FINAL ORDER
PRELIMINARY STATEMENT

After being formally notified of the Division of Retirement's intent to deny her request for creditable service in the Florida Retirement System, Ms. Chester timely filed a petition for hearing and the case was referred to the Division of Administrative Hearings.

Pursuant to notice, the Division of Administrative Hearings, by its duly designated Administrative Law Judge, Daniel Manry, held a formal hearing in the above-styled case by video teleconference on June 23, 2010, in Tallahassee and Ft. Myers, Florida.

At the formal proceeding, Petitioner offered her own testimony and that of Joyce Morgan, Benefits Administrator, Division of Retirement. Respondent offered the testimony of Joyce Morgan; Marsha Burr, Trainer for Lee County School Board; and Becky Garlock, Retirement Benefits Manager for Lee County SchoolBoard.

Petitioner offered 12 exhibits, of which 8 were admitted. Respondent offered 5 exhibits which were admitted.

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DIVISION OF
ADMINISTRATIVE
HEARINGS

A transcript of the hearing was prepared and each Party made post hearing submissions. A Recommended Order was issued August 11, 2010, which is incorporated by reference into this Final Order. No Exceptions to the Recommended Order have been filed.

STATEMENT OF THE ISSUES

The issue in this case is to determine whether Sheridan Chester is entitled to creditable service in the Florida Retirement System for her employment as a substitute teacher with Lee County School Board.

FINDINGS OF FACT

The Division of Retirement accepts the Findings of Fact set forth in the Recommended Order.

CONCLUSIONS OF LAW


The Division of Retirement accepts the Conclusions of Law as set forth in the Recommended Order.

ORDER

Based on the foregoing, it is hereby ORDERED AND DIRECTED that the Florida Department of Management Services, Division of Retirement, DENIES the request of the Petitioner, Sheridan Chester, to receive creditable service in the Florida Retirement System for her employment as a substitute teacher for Lee County School Board.

DONE AND ORDERED this 1 day of November 2010, in

Tallahassee, Leon County, Florida.

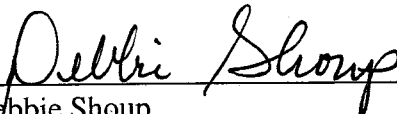


Linda H. South
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NOTICE OF RIGHT TO APPEAL

Unless expressly waived by a party such as in a stipulation or in other similar forms of settlement, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Agency Clerk of the Department of Management Services, and a copy, accompanied by filing fees prescribed by law, with the Clerk of the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty (30) days of rendition of this order, in accordance with Rule 9.110, Fla. R. App. P., and section 120.68, Florida Statutes.

I HEREBY CERTIFY that this Final Order was filed in the official records of the Department of Management Services, and copies distributed by U.S. Mail to the parties below, on the 2nd day of November, 2010.



Debbie Shoup
Clerk
Department of Management Services

Copies furnished to:

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Judge Daniel Manry
✓ Division of Administrative Hearings
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