

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF HOTELS AND RESTAURANTS

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
DIVISION OF HOTELS AND  
RESTAURANTS,

Petitioner,

v.

DOAH CASE NO.: 10-5922  
H&R CASE NO.: 2010-003503  
LICENSE NO.: 51-05120  
LICENSE TYPE: 2010

C&K SMOKE HOUSE BBQ,

Respondent.

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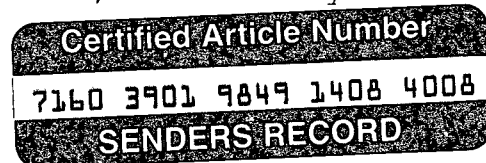
FINAL ORDER

The Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation (the Division), after consideration of the complete record of this case on file with the Division, enters this Final Order.

1. On January 22, 2010, the Department issued an Administrative Complaint, a copy of which is attached as Exhibit "A."

2. On October 4, 2010, a hearing in this cause was held before the Honorable Elizabeth W. McArthur, Administrative Law Judge, Division of Administrative Hearings.

3. On November 22, 2010, Honorable Elizabeth W. McArthur issued a Recommended Order, a copy of which is attached as Exhibit "B." The Statement of the Issues, Preliminary Statement,

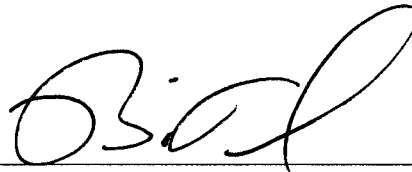


Findings of Fact, Conclusions of Law, and Recommendation contained in the Recommended Order are hereby adopted *in toto* and incorporated herein by reference.

Based upon the foregoing, and being otherwise fully advised in the premises it is, hereby ORDERED that:

1. The Administrative Complaint is dismissed.
2. This Final Order shall become effective on the date of filing with the Agency Clerk.

DONE AND ORDERED this 22 day of December, 2010.



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Bill L. Veach, Director  
Department of Business and  
Professional Regulation  
Division of Hotels and Restaurants  
1940 North Monroe Street  
Tallahassee, Florida 32399-1015

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

Unless expressly waived, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Clerk of the Department of Business and Professional Regulation, and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within thirty (30) days rendition of this order, in accordance with Rule 9.110, Fla. R. App. P., and Section 120.68, Florida Statutes.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via Certified U.S. Mail to C&K Smoke House BBQ, c/o Carl Rhodes, Jr., 12125 US Highway 301 North, Parrish, Florida 34219; by regular U.S. Mail to the Honorable Elizabeth W. McArthur, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by hand delivery to Marc Drexler, Chief Attorney, Division of Hotels and Restaurants, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, this 29<sup>th</sup> day of December, 2010.

  
For the Division of Hotels  
and Restaurants