

**STATE OF FLORIDA
BOARD OF VETERINARY MEDICINE**

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	9/23/2011
File #	2011-06562

**DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,**

Petitioner,

vs.

**DOAH CASE NO.: 11-0912PL
DBPR CASE NO.: 2008-056377
LICENSE NO.: VM 8029**

JOSE DAVILA-DELGADO, D.V.M,

Respondent.

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FINAL ORDER

THIS MATTER came before the Board of Veterinary Medicine (hereinafter "Board") pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on September 1, 2011, in St. Augustine, Florida. for the purpose of considering the Administrative Law Judge's Recommended Order (a copy is attached hereto as Exhibit A) in the above-styled cause. Petitioner was represented by Elizabeth F. Henderson, Assistant General Counsel. Respondent was not present, but was represented by counsel, William Furlow, III, Attorney at Law.

Upon review of the Recommended Order, the presentations of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated by reference herein.
2. There is competent substantial evidence to support the findings of fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 474, Florida Statutes.
2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated by reference herein.

PENALTY

Upon a complete review of the record in this case, the Board determines that the Recommendation of the Administrative Law Judge that the Board dismiss the charges in the Amended Administrative Complaint, is accepted.

THEREFORE, IT IS HEREBY **ORDERED AND ADJUDGED** that

The Amended Administrative Complaint filed in this matter is hereby dismissed.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 13th day of September, 2011.

BOARD OF VETERINARY MEDICINE



ROBERT O'NEIL, D.V.M.
CHAIRMAN

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 BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE FLORIDA 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 U.S. Mail to **Jose Davila-Delgado, D.V.M.**, by sending same to his counsel of record, **William Furlow, III**, 2022-2 Raymond Diehl Road, Tallahassee, Florida 32308; by interoffice delivery to **Elizabeth F. Henderson**, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, and **Deborah B. Loucks**, Assistant Attorney General, The Capitol, PL-01 Tallahassee, Florida 32399-1050; and by regular U.S. Mail to **Lisa Shearer Nelson**, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, on September 23rd, 2011.


