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FILED

2012 FEB 27 P 12: 02

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February 23, 2012

DIVISION OF
ADMINISTRATIVE
HEARINGS

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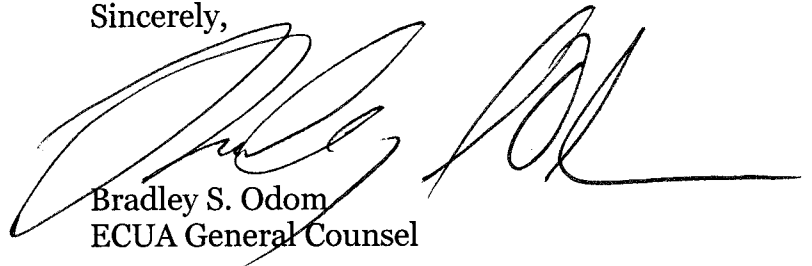
Claudia Llado
Clerk of the Division
State of Florida
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

Re: *Emerald Coast Utilities Authority v. A.J. Stovall, II*
DOAH Case Number: 11-5284

Dear Ms. Llado:

Administrative Law Judge Robert S. Cohen rendered a Recommended Order in the above-referenced matter on January 31, 2012. Subsequent thereto, the Emerald Coast Utilities Authority (ECUA) entered a Final Order on February 22, 2012. Pursuant to Section 120.57(1)(m) you are hereby being provided a copy of that Final Order. Should you have any questions please do not hesitate to contact me.

Sincerely,



Bradley S. Odom
ECUA General Counsel

BSO:cab

Enclosure

cc: Linda Iversen (w/o encl.)

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

EMERALD COAST UTILITIES
AUTHORITY,

Petitioner,

v.

A.J. STOVALL, II,

Respondent.

2012 FEB 27 P 12:02

DIVISION OF
ADMINISTRATIVE
HEARINGS

DOAH Case No.: 11-5284

FINAL ORDER

Emerald Coast Utilities Authority (hereinafter "ECUA"), terminated A.J. Stovall, II (hereinafter either "Stovall" or "Respondent"), from his employment with ECUA effective at the close of business on September 23, 2011. Stovall timely requested a hearing, and the case was forwarded to the Florida Division of Administrative Hearings. A formal hearing was conducted in this cause on December 13, 2011 in Pensacola, Florida, before Robert S. Cohen, Administrative Law Judge with the Florida Division of Administrative Hearings.

On January 31, 2012 Judge Robert S. Cohen submitted his Recommended Order and concluded that Stovall used a controlled substance, namely cocaine, in violation of Sections F-4(29) and (33) of the ECUA Human Resources Policy Manual as well as state law.

The parties were subsequently afforded the opportunity to present written exceptions to the Recommended Order prior to the rendering of this Final Order. The time-frame within which to submit those written exceptions has expired, and none have been received.

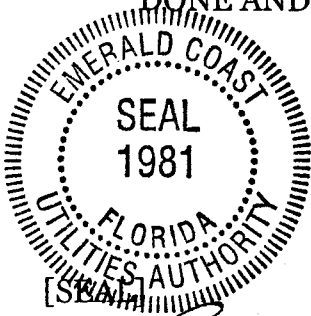
BASED ON THE FOREGOING, it is ORDERED:

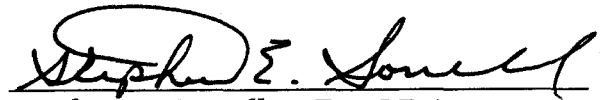
1. That the January 31, 2012 Recommended Order submitted to the Emerald Coast Utilities Authority by the Administrative Law Judge be, and is hereby, made a part of and incorporated in this Order, with the following corrections to the fifth numbered paragraph of the Findings of Fact: "Mr. Emmons also called Carrie Kerry Langley, the ECUA ~~Human Resources Director~~ Risk Management and Cost Recovery Specialist." (deleting the verbiage stricken-through and adding the underlined verbiage).

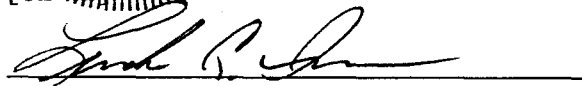
2. In light of the express findings of the Administrative Law Judge, I find that Respondent violated Sections F-4(29) and (33) of the ECUA Human Resources Policy Manual.

3. I further find that the termination of Respondent is appropriate and warranted. Accordingly, the termination of the employment of A.J. Stovall, II is hereby upheld and Affirmed, and he shall go forth without day.

DONE AND ENTERED this 22nd day of February, 2012.




Stephen E. Sorrell, P.E., M.P.A.
Executive Director
Emerald Coast Utilities Authority



A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO A JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF ECUA, AND A SECOND COPY ALONG WITH FILING FEE AS PRESCRIBED BY LAW, WITH THE CIRCUIT COURT OF ESCAMBIA COUNTY. REVIEW PROCEEDINGS SHALL BE CONDUCTED IN ACCORDANCE WITH THE FLORIDA APPELLATE RULES. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

COPIES FURNISHED:

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