

FLORIDA A&M UNIVERSITY
BOARD OF TRUSTEES
TALLAHASSEE, FLORIDA

FLORIDA A&M UNIVERSITY)	
BOARD OF TRUSTEES,)	
)	
Petitioner,)	FAMU Case No. 11-009
)	DOAH Case No. 12-0183TTS
vs.)	
)	
LAURENCE TROMLY,)	
)	
Respondent.)	
_____)	

**FINAL ORDER DISMISSING PETITION FOR
ADMINISTRATIVE HEARING**

On April 12, 2012, Administrative Law Judge Barbara J. Staros, with the Division of Administrative Hearings (DOAH), submitted a Recommended Order in the above-styled case. A copy of the Recommended Order is attached hereto as Petitioner's Exhibit 1 and is incorporated by reference. The parties were informed of their rights to submit written exceptions within fifteen (15) days from the date of the Recommended Order. No exceptions were filed in this case. This matter is now before Florida A&M University Board of Trustees (FAMU or Petitioner) for consideration and final action concerning the Amended Petition for Administrative Hearing filed by Laurence Tromly (Respondent).

PRELIMINARY MATTERS

Prior to November 10, 2011, Respondent worked for FAMU as an auditor in the Division of Audit and Compliance. By letter dated November 10, 2011, Respondent was notified that his employment with FAMU was terminated effective immediately. In the letter, Petitioner cited misconduct for the cause of termination pursuant to FAMU Regulations 1.109 and 10.111.

On or about December 1, 2011, FAMU received a request for administrative review from Respondent. The letter failed to comply with Sections 120.569 and 120.57, Florida Statutes (F.S.) and Rule 28-106.21, Florida Administrative Code (F.A.C.). FAMU entered an Order Denying Request for Administrative Hearing without Prejudice on December 13, 2011. Respondent had twenty (20) days from the date of this Order to file with FAMU an amended petition for administrative hearing. Through his counsel, Respondent subsequently filed an Amended Petition for an Administrative Hearing contesting his termination.

The matter was transmitted to DOAH for an administrative hearing. Respondent's counsel filed a Motion to Withdraw, which was granted by the Administrative Law Judge and entered on March 26, 2012. The motion stated that Respondent's counsel was unable to contact her client despite repeated attempts to do so via phone messages, e-mail correspondences, and regular U.S. mail.

A final hearing was conducted on April 10, 2012, but Respondent failed to appear. After the hearing, the Administrative Law Judge issued a Recommended Order recommending that Petitioner enter a final order dismissing this matter and dismissing Respondent from employment.

FINDINGS OF FACT

The Recommended Order's Conclusions of Law are approved and adopted.

CONCLUSIONS OF LAW

The Recommended Order's Conclusions of Law are approved and adopted.

EXCEPTIONS

No exceptions were filed by either party to the Recommended Order.

DISMISSAL

Accordingly, upon review of the complete record in this case, including the Recommended Order, the submissions and arguments of the parties, and being otherwise fully advised in the premises, it is hereby ORDERED and ADJUDGED that this matter is dismissed in its entirety and Respondent's dismissal from employment is affirmed.

DONE AND ORDERED this 24th day of May, 2012.



James H. Ammons
President
Florida A&M University
Suite 400, Lee Hall
Tallahassee, Florida 32307
(850) 599-3225

Filed with FAMU this
24th day of May, 2012.


Abigail V. Raddar
FAMU Clerk

NOTICE OF RIGHT TO JUDICIAL REVIEW

Respondent may seek judicial review of this Final Order pursuant to Florida Rule of Appellate Procedure 9.190(b)(3), applicable to review of quasi-judicial decisions of an administrative body not subject to the Administrative Procedure Act, by filing a petition for certiorari review with the appropriate circuit court within thirty (30) days of the date this Final Order is filed with the FAMU Clerk. If Respondent seeks review with the court, a copy of the petition shall be provided to the FAMU Clerk, Office of the General Counsel, 1601 South Martin Luther King Jr. Boulevard, 300 Lee Hall, Tallahassee, Florida 32307.

Copy: Laurence Tromly, Respondent
Avery McKnight, Vice President and General Counsel
Nellie C. Woodruff, Assistant Vice President, Human Resources
Claudia Llado, DOAH Clerk
Maria A. Santoro, Esquire