

FILED

2013 DEC 2 PM 1 33

DIVISION OF
ADMINISTRATIVE HEARING BOARD OF PROFESSIONAL ENGINEERS
STATE OF FLORIDA

FLORIDA ENGINEERS MANAGEMENT CORPORATION,

Petitioner,

vs.

FEMC Case No.: 2012023500
DOAH Case No.: 13-1842PL
License No.: PE 22656

JOSEPH POTTS, P.E.,

Respondent.

FILED
Department of Business and Professional Regulation
Deputy Agency Clerk
CLERK Brandon Nichols
Date 11/26/2013
File # 2013-07217

FILED
Florida Engineers Management Corporation

NOV 26 2013

Clerk: *[Signature]*

FINAL ORDER

THIS CAUSE came before the BOARD OF PROFESSIONAL ENGINEERS (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on October 10, 2013, in Orlando, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order, a copy of which is attached hereto as Exhibit A, in the above-styled cause. Petitioner was represented by John Rimes, Chief Prosecutor. Respondent was present.

Upon review of the Recommended Order, the argument 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 at approved and adopted and incorporated herein by reference.
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 471, Florida Statutes.
2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

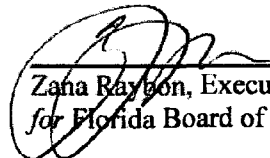
DISPOSITION

Upon a complete review of the record in this case, the Board determines that this matter shall be 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 22nd day of November, 2013.

BOARD OF PROFESSIONAL ENGINEERS



Zana Raybon, Executive Director
for Florida Board of Professional Engineers

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 FLORIDA ENGINEERS MANAGEMENT CORPORATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE 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 Joseph Potts, P.E., 4440 NE 13th Avenue, Ft. Lauderdale, Florida 33334; to David Maloney, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to Michael T. Flury, Assistant Attorney General, PL-01 The Capitol, Tallahassee FL 32399-1050; and John J. Rimes, III, FEMC, 2639 North Monroe St., Suite B-112, Tallahassee FL 32303 this 27th day of November, 2013.

Yusbia Lukay, Clerk