

**STATE OF FLORIDA  
DEPARTMENT OF MANAGEMENT SERVICES**

**JOHN R. BLUM,**

**Petitioner,**

Final Order No. DMS – 14-0068

**vs.**

**CASE NO. 14-2808**

**DEPARTMENT OF MANAGEMENT SERVICES,  
DIVISION OF RETIREMENT,**

**Respondent.**

---

**FINAL ORDER**

The Administrative Law Judge, Jessica E. Varn, assigned by the Division of Administrative Hearing in the above styled cause, entered a Recommended Order on August 25, 2014, attached hereto and incorporated herein as "Exhibit A."

Pursuant to rule 28-106.217, Florida Administrative Code, exceptions may be filed within 15 days of the date of entry of the Recommended Order. The Petitioner and Respondent have not filed exceptions. The Department, pursuant to section 120.569(2)(1), Florida Statutes, now issues its Final Order.

**APPEARANCE**

For Petitioner:	John R. Blum, pro se 5050 Southwest Eleventh Place Margate, Florida 33068-4060
For Respondent:	Larry D. Scott, Esquire Department of Management Services Office of the General Counsel 4050 Esplanade Way, Suite 160 Tallahassee, Florida 32399-0950

ISSUE

Whether Petitioner, John R. Blum, violated the re-employment provisions set forth in section 121.091(13)(c) 5.d., Florida Statutes (2013), and, therefore, must repay his Deferred Retirement Option Program distribution and subsequent monthly retirement benefits.

FINDINGS OF FACT

The Department hereby adopts and incorporates by reference the Findings of Fact set forth in the Recommended Order.

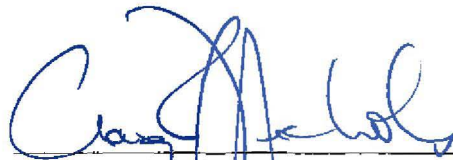
CONCLUSIONS OF LAW

The Department hereby adopts and incorporates by reference the Conclusions of Law set forth in the Recommended Order.

Based upon the foregoing it is,

ORDERED and DIRECTED that the Petitioner, John R. Blum violated the re-employment provisions of section 121.091(13)(c)5.d., Florida Statutes, and therefore shall repay retirement payments in the amount of \$227,755.51 to the Department of Management Services, Division of Retirement.

DONE AND ORDERED this 15th day of OCTOBER, 2014, in Tallahassee, Leon County, Florida.



Craig J. Nichols, Agency Secretary  
Department of Management Services  
4050 Esplanade Way, Suite 285B  
Tallahassee, Florida 32399-0950

Copies:

Mr. John R. Blum  
5050 Southwest Eleventh Place  
Margate, Florida 33068-4060

Larry D. Scott  
Assistant General Counsel  
Department of Management Services  
Division of Retirement  
4050 Esplanade Way, Suite 160  
Tallahassee, Florida 32399-0950

Jessica E. Varn  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

**NOTICE OF RIGHT TO APPEAL**

Unless expressly waived by a party such as in a stipulation or in other similar forms of settlement, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Agency Clerk of the Department of Management Services, and a copy, accompanied by filing fees prescribed by law, with the Clerk of the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty (30) days of rendition of this order, in accordance with Rule 9.110, Fla.R.App.P., and section 120.68, Florida Statutes.

Certificate of Clerk:

Filed in the office of the Clerk of the  
Department of Management Services  
On this 15<sup>th</sup> day of October,  
2014.



Agency Clerk