

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

WILLIAM B. SWAIM,

Petitioner,

vs.

Case No. 15-0135RU

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT,

Respondent.

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FINAL ORDER OF DISMISSAL

This cause came before the Administrative Law Judge on Respondent's second motion to dismiss. A response in opposition to the motion was filed by Petitioner. Petitioner's first petition was dismissed for failing to identify the agency statement that is being challenged. Petitioner filed an amended petition which is the subject of this second motion to dismiss. Petitioner was ordered to show cause why his amended petition should not be dismissed for lack of standing or for failure to identify the agency statement Petitioner claims is an unpromulgated rule. Petitioner filed a response to the Order to Show Cause.

Petitioner has failed to identify the statement he alleges is an unpromulgated rule. Furthermore, his arguments merely support a claim that Respondent misapplied existing statutes or rules. Accordingly, it is

ORDERED that the motion is GRANTED and the petition is DISMISSED with prejudice.

DONE AND ORDERED this 9th day of March, 2015, in  
Tallahassee, Leon County, Florida.



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BRAM D. E. CANTER  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(850) 488-9675  
Fax Filing (850) 921-6847  
www.doah.state.fl.us

Filed with the Clerk of the  
Division of Administrative Hearings  
this 9th day of March, 2015.

COPIES FURNISHED:

William B. Swaim  
5455 Via Delray  
Delray Beach, Florida 33484  
(eServed)

Jennifer D. Brown, Esquire  
South Florida Water Management District  
Mail Stop Code 1410  
3301 Gun Club Road  
West Palm Beach, Florida 33406  
(eServed)

Blake C. Guillory, Executive Director  
South Florida Water Management District  
3301 Gun Club Road  
West Palm Beach, Florida 33406  
(eServed)

Ernest Reddick, Chief  
Alexandra Nam  
Department of State  
R. A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250  
(eServed)

Ken Plante, Coordinator  
Joint Administrative Procedures Committee  
Room 680, Pepper Building  
111 West Madison Street  
Tallahassee, Florida 32399-1400  
(eServed)

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 the original notice of administrative appeal with the agency clerk of the Division of Administrative Hearings within 30 days of rendition of the order to be reviewed, and a copy of the notice, accompanied by any filing fees prescribed by law, with the clerk of the District Court of Appeal in the appellate district where the agency maintains its headquarters or where a party resides or as otherwise provided by law.