

STATE OF FLORIDA  
BARBERS' BOARD

DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION,

Petitioner,

vs.

DOAH Case No.: 15-0951

MARTIN ROSALEZ,

Respondent.

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**FINAL ORDER**

THIS CAUSE came before the Barbers' Board (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on August 10, 2015, in Atlantic Beach, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order (Exhibit A) and Petitioner's Exception (Exhibit B), which was treated as a Motion for Costs. Petitioner was represented by Stephen Lowell Johnson, Esq. Respondent was not present and not represented by counsel.

Upon review of the Recommended Order, and the Motion for Costs, 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 are approved and adopted and incorporated by reference herein.
2. There is competent substantial evidence to support the findings of fact in the Recommended Order.

**CONCLUSIONS OF LAW**

3. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapters 455, and 476, Florida Statutes.

4. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated by reference herein.

**DISPOSITION**


Upon a complete review of the record in this case, the Board determines that the Recommendations of the Administrative Law Judge that the Respondent engaged in the unlicensed practice of barbering which is proscribed by Section 476.204(1)(a), Florida Statutes, displayed as his own the barber's license of another which is proscribed by Section 476.204(1)(a), Florida Statutes, and that a \$500.00 fine be imposed on Respondent, are accepted.

Petitioner's Motion for Costs is granted.

This Final Order shall become effective upon filing with the Clerk for the Department of Business and Professional Regulation.

**DONE AND ORDERED** this 26 day of August, 2015.

BARBERS' BOARD

  
Robyn Barineau, Executive Director  
for Herman White, Chair

**NOTICE OF RIGHT OF 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 Department of Business and Professional Regulation 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 Florida appellate district where the party resides. The notice of appeal must be filed within thirty (30) days of the filing date of this Final Order.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by US **certified mail** to: **Martin Rosalez**, 7905 Southwest Seventh Place, North Lauderdale, Florida 33068; and by interoffice mail to **Stephen L. Johnson, Esq.**, Assistant General Counsel, 1940 N. Monroe St., Suite 60, Tallahassee, Florida 32399; and **Linzie F. Bogan**, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, on August 28<sup>th</sup>, 2015.

  
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