

STATE OF FLORIDA  
AGENCY FOR PERSONS WITH DISABILITIES

Marcus Downes,  
Petitioner,

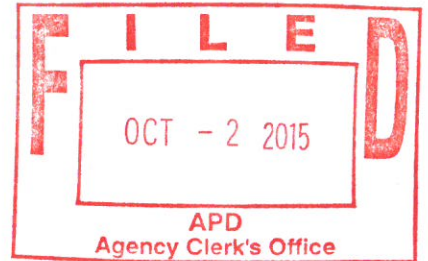
DOAH Case No. 15-2261EXE  
APD Case No. 14-15-266  
RENDITION No. APD-15-16-007-FO

v.

AGENCY FOR PERSONS WITH DISABILITIES,  
Respondent.

\_\_\_\_\_ /

**FINAL ORDER**



THIS CAUSE is before the Agency for Persons with Disabilities for consideration and final agency action concerning Petitioner's request for an exemption from disqualification from holding a position of special trust as provided in Chapter 435, Florida Statutes. Petitioner seeks an exemption from disqualification so that Petitioner can work in a position having direct contact with children or developmentally disabled people served in programs regulated by the Department of Children and Families or the Agency for Persons with Disabilities. Following an administrative hearing at DOAH on July 28, 2015, the Administrative Law Judge issued a Recommended Order concluding that Petitioner did not demonstrate sufficient rehabilitation such that he should be considered for exemption. Neither party filed exceptions to the Recommended Order. There being no basis to reject the findings of fact and conclusions of law of the Administrative Law Judge, the Recommended Order is approved and adopted.

Being fully advised in the premises, Petitioner's request for an exemption from disqualification from holding a position of special trust in hereby DENIED.

**DONE AND ORDERED** in Tallahassee, Leon County, Florida, this 30<sup>th</sup> day of

September, 2015.



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Tom Rankin, Deputy Director of Operations  
Agency for Persons with Disabilities

### **RIGHT TO APPEAL**

A party who is adversely affected by this final order is entitled to judicial review. To initiate judicial review, the party seeking it must file one copy of a "Notice of Appeal" with the Agency Clerk. The party seeking judicial review must also file another copy of the "Notice of Appeal," accompanied by the filing fee required by law, with the First District Court of Appeal in Tallahassee, Florida, or with the District Court of Appeal in the district where the party resides. Review proceedings shall be conducted in accordance with Florida Rules of Appellate Procedure. The Notices must be filed within thirty (30) days of the rendition of this final order.<sup>1</sup>

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<sup>1</sup> The date of the "rendition" of this Final Order is the date that is stamped on its first page. The Notices of Appeal must be received on or before the thirtieth day after that date.

Copies furnished to:

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Claudia Llado, Agency Clerk  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(filed via e-ALJ)

APD Central Region Office

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Final Order was provided to the above-named individuals at the listed addresses, U.S. Mail or electronic mail, this 2<sup>nd</sup> day of ~~September~~ <sup>October</sup>, 2015.

  
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David De La Paz, Esq., Agency Clerk  
Agency for Persons with Disabilities  
4030 Esplanade Way, Suite 380  
Tallahassee, Florida 32399-0950