

**STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES**

**AUBRIE PEREZ, as Personal
Representative of the Estate of
EDWARD PEREZ**

Petitioner,

v.

Case No.: 16-1101

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

Final Order No. DMS – 17-0026

Respondent.

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FINAL ORDER

This cause came before the Secretary for the purpose of the issuance of a final agency order. On January 23, 2017, an Administrative Law Judge with the Division of Administrative Hearings entered a Recommended Order in the above-styled cause. A copy of the Recommended Order is attached hereto and incorporated herein as “Exhibit A.”

Pursuant to section 120.57(1)(b), Florida Statutes, Uniform Rules, Section 28-106.217, Florida Administrative Code, and the notice provided in the Recommended Order, parties were allowed to file written exceptions to the Recommended Order. Petitioner and Respondent have not filed exceptions.

FINDINGS OF FACT

The Department of Management Services (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.

Having considered the Recommended Order and the applicable law and being otherwise duly advised, it is **ORDERED** that:

1. The Department return the total sum of \$214,202.60 to the FRS Investment Plan for the benefit of Lt. Edward Perez and that Aubrie Perez, as the sole surviving child and beneficiary of Lt. Perez receive the amount of \$214,202.60.
2. This Final Order shall become effective on the date of filing with the Agency Clerk of the Department.

DONE AND ORDERED in Tallahassee, Leon County, Florida, this 24 day of April, 2017.

STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES




ERIN ROCK
Interim Secretary
Department of Management Services
4050 Esplanade Way, Suite 285
Tallahassee, Florida 32399-0950

NOTICE OF RIGHT TO APPEAL

This order constitutes final agency action. Judicial review of this proceeding may be instituted by filing a notice of appeal with the filing fee prescribed by law in the District Court of Appeal, pursuant to Section 120.68, Florida Statutes, and a copy with the Agency Clerk of the Department of Management Services, 4050 Esplanade Way, Tallahassee, Florida 32399-3000. Such notice must be filed within thirty (30) calendar days of the date this order is filed in the official records of the Department of Management Services, as indicated in the Certificate of Clerk. Review proceedings shall be conducted in accordance with the Florida Rules of Appellate Procedure.

Certificate of Clerk:

Filed in the office of the
Clerk of the Department of
Management Services on this 24th
day of April, 2017.



Diane Wint, Agency Clerk *Deputy
Agency
Clerk*

Copies furnished to:

Lee P. Teichner, Esquire
Holland & Knight LLP
701 Brickell Avenue, Suite 3300
Miami, Florida 33131

Richard Swank, Esquire
Department of Management Services
4050 Esplanade Way, Suite 160
Tallahassee, Florida 32399-0950
richard.swank@dms.myflorida.com

J. Andrew Atkinson, General Counsel
Office of the General Counsel
Department of Management Services
4050 Esplanade Way, Suite 160
Tallahassee, Florida 32399-0950
drew.atkinson@dms.myflorida.com