

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

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MCCRORY'S SUNNY HILL NURSERY,  
LLC,

Petitioner,

vs.

DOH Case No. 2016-0091  
DOAH Case No. 16-1934

DEPARTMENT OF HEALTH,

Respondent.

\_\_\_\_\_ /

**FINAL ORDER**

THIS MATTER is before the Department of Health for consideration of a Recommended Order and entry of a Final Order. On June 3, 2016, Administrative Law Judge Elizabeth McArthur issued a Recommended Order in this case which recommended that the Department of Health enter a Final Order dismissing the Petition for Formal Administrative Proceedings filed by Petitioner McCrory's Sunny Hill Nurseries, LLC, with prejudice. The Recommended Order is adopted and incorporated by reference as Exhibit A.


In addition, the Recommended Order advised both parties that they may file exceptions to the findings of fact and/or conclusions of law contained in the Recommended Order with the Department of Health, Agency Clerk, within fifteen (15) days of the filing of the Recommended Order. Neither party timely filed exceptions.

Based on the foregoing, it is ORDERED:

The Petition for Formal Administrative Proceedings filed by Petitioner McCrory's Sunny Hill, LLC, is dismissed with prejudice. This proceeding is closed.

DONE AND ORDERED this 27 day of June, 2016, in Tallahassee, Leon County, Florida.

Celeste M. Philip, MD, MPH  
State Surgeon General  
Florida Department of Health

By:   
\_\_\_\_\_  
Alexis Lambert  
Chief of Staff

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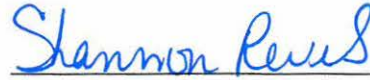
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Elizabeth W. McArthur  
Administrative Law Judge  
Division of Admin. Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been sent by electronic mail and regular U.S. mail and/or by inter-office mail to each of the above-named persons this 27<sup>th</sup> day of June 2016.



\_\_\_\_\_  
Agency Clerk  
Department of Health  
4052 Bald Cypress Way, BIN A-02  
Tallahassee, Florida 32399-1703

**NOTICE OF RIGHT TO JUDICIAL REVIEW**

**A PARTY ADVERSELY AFFECTED BY THIS ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. A REVIEW PROCEEDING IS INITIATED BY FILING A NOTICE OF APPEAL WITH THE CLERK OF THE DEPARTMENT OF HEALTH AND A COPY ACCOMPANIED BY THE FILING FEE WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES OR IN THE FIRST DISTRICT COURT OF APPEAL. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF THE FILING DATE OF THIS ORDER.**