

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

TEREKA TAYLOR,

EEOC Case No. NONE

Petitioner,

FCHR Case No. 2016-00318

v.

DOAH Case No. 16-2626

ARC MARION, INC.,

FCHR Order No. 16-043

Respondent.

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**FINAL ORDER DISMISSING PETITION FOR  
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

Preliminary Matters

Petitioner Tereka Taylor filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2014), alleging that Respondent ARC Marion, Inc., committed unlawful employment practices on the basis of Petitioner's race (not specified in complaint) by treating Petitioner less favorably than those presumably of a different race, and on the basis of Petitioner's race and on the basis of retaliation by terminating Petitioner from employment.

The allegations set forth in the complaint were investigated, and, on April 19, 2016, the Executive Director issued a determination finding that there was no reasonable cause to believe that an unlawful employment practice had occurred.

Petitioner filed a Petition for Relief from an Unlawful Employment Practice, and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

The case was assigned to Administrative Law Judge Garnett W. Chisenhall.

Judge Chisenhall issued a Recommended Order of Dismissal, dated June 16, 2016, in response to Respondent's motion to dismiss for lack of jurisdiction, in which Judge Chisenhall found that the complaint of discrimination was untimely filed.

The Commission panel designated below considered the record of this matter and determined the action to be taken on the Recommended Order of Dismissal.

Findings of Fact

We find the Administrative Law Judge's findings of fact to be supported by competent substantial evidence.

We adopt the Administrative Law Judge's findings of fact.

Conclusions of Law

We find the Administrative Law Judge's application of the law to the facts to result in a correct disposition of the matter.

We adopt the Administrative Law Judge's conclusions of law.

Exceptions

Neither of the parties filed exceptions to the Administrative Law Judge's Recommended Order of Dismissal.

Dismissal

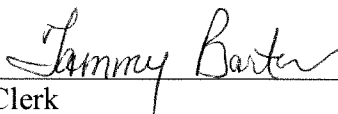
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive notice of appeal within 30 days of the date this Order is filed with the Clerk of the Commission. Explanation of the right to appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 8 day of Sept., 2016.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Tony Jenkins, Panel Chairperson;  
Commissioner Jay Pichard; and  
Commissioner Sandra Turner

Filed this 8 day of Sept., 2016,  
in Tallahassee, Florida.

  
Clerk  
Commission on Human Relations  
4075 Esplanade Way, Room 110  
Tallahassee, FL 32399  
(850) 488-7082

Copies furnished to:

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c/o B. Tyler White, Esq.  
Jackson Lewis, P.C.  
501 Riverside Avenue, Ste. 902  
Jacksonville, FL 32202

Garnett W. Chisenhall, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 8 day of Sept., 2016.

By: Jimmy Barton  
Clerk of the Commission  
Florida Commission on Human Relations