

**STATE OF FLORIDA
AGENCY FOR PERSONS WITH DISABILITIES**

DESHONDA ROSS,

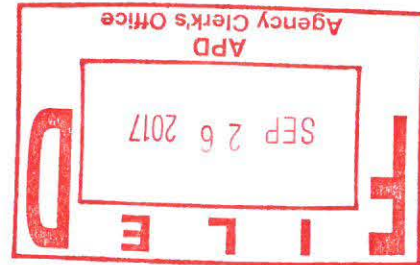
DOAH Case No. 17-2567EXE

Petitioner,

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 developmentally disabled children or adults served in programs regulated by the Department of Children and Families or the Agency for Persons with Disabilities. Following an administrative hearing before a duly-designated Administrative Law Judge ("ALJ") of the Division of Administrative Hearings ("DOAH,") conducted via video teleconference, on June 19, 2017, the Administrative Law Judge issued a Recommended Order concluding that Petitioner did not demonstrate sufficient rehabilitation such that she should be considered for exemption. Neither party filed exceptions to the Recommended Order. Pursuant to Section 120.57(k), Florida Statutes, "The Agency shall allow each party 15 days in which to submit written exceptions to the recommended order. The final order shall include an explicit ruling on each exception, but an agency need not rule on an exception that does not clearly identify the disputed

portion of the recommended order by page number or paragraph, that does not identify the legal basis for the exception, or that does not include appropriate and specific citations to the record.”

On July 21, 2017, the Petitioner submitted documents to the Agency that did not comply with the requirements of Section 120.57(k), Florida Statutes. The Agency did not rule on the documents submitted by the Petitioner as they failed to comply with statutory requirements. 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 is hereby **DENIED**.

DONE AND ORDERED in Tallahassee, Leon County, Florida, this 26th day of September, 2017.



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.¹

¹ 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:

Deshonda Ross
1519 Southeast Loquat Way
Lake City, Florida 32025


APD Northeast Region

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

Kurt Eric Ahrendt
Agency for Persons with Disabilities
4030 Esplanade Way, Suite 380
Tallahassee, FL 32399-0950
Kurt.Ahrendt@apdcares.org

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Final Order was provided by U.S. Mail or electronic mail to the above-named individuals at the listed addresses this 26th day of September, 2017.


Jada A. Williams, Esq., Agency Clerk
Agency for Persons with Disabilities
4030 Esplanade Way, Suite 335
Tallahassee, FL 32399-0950