

FILED

FEB 19 2019

Chief Financial Officer
Docketed by: *J. Johnson*



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

DEPARTMENT OF FINANCIAL
SERVICES, DIVISION OF WORKERS'
COMPENSATION,

Petitioner,

DOAH CASE NO.: 18-4245
DFS CASE NO.: 17-305-D1-WC

v.

DIGITAL ACCESSORIES CORPORATION,

Respondent.

FINAL ORDER

THIS CAUSE came on for consideration of and for final agency action on a Recommended Order.

After reviewing the record, including all testimony and admitted exhibits, considering applicable law, and otherwise being fully apprised in all material premises, the Recommended Order is hereby adopted with the following modifications.

1. Findings of Fact paragraph 14 is modified by rejecting all but the first and fourth sentences. The Department does not, in this Final Order, take a position on the merits of any opinions expressed in the rejected sentences, which are editorial and are not relevant to the determination of this matter. Moreover, the facts, if any, rejected in paragraph 14 are not based upon competent substantial evidence in the record and modified paragraph 14 is as or more reasonable that the conclusions of law, if any, rejected in paragraph 14.

2. Findings of Fact paragraph 16 is modified by rejecting the final sentence. The Department does not, in this Final Order, take a position on the merits of any opinions expressed in the rejected sentence, which are editorial and are not relevant to the determination of this matter. Moreover, the facts, if any, rejected in paragraph 16 are not based upon competent substantial evidence in the record and modified paragraph 16 is as or more reasonable than the conclusions of law, if any, rejected in paragraph 16.

3. Conclusions of Law paragraph 26 is modified by rejecting the final sentence. The Department does not, in this Final Order, take a position on the merits of any opinions expressed in the rejected sentence, which are editorial and are not relevant to the determination of this matter. Moreover, the facts, if any, rejected in paragraph 26 are not based upon competent substantial evidence in the record and modified paragraph 26 is as or more reasonable than the conclusions of law, if any, rejected in paragraph 26.

Accordingly, Digital Accessories Corporation's petition for a hearing is dismissed as untimely.

DONE and ORDERED this 19th day of February, 2019.





Ryan West
Chief of Staff

NOTICE OF RIGHT TO APPEAL

A party adversely affected by this final order may seek judicial review as provided in section 120.68, Florida Statutes, and Florida Rule of Appellate Procedure 9.190. Judicial review is initiated by filing a notice of appeal with the Agency Clerk, and a copy of the notice of appeal, accompanied by the filing fee, with the appropriate district court of appeal. The notice of appeal must conform to the requirements of Florida Rule of Appellate Procedure 9.110(d), and must be filed (i.e., received by the Agency Clerk) within thirty days of rendition of this final order.

Filing with the Department's Agency Clerk may be accomplished via U.S. Mail, express overnight delivery, hand delivery, facsimile transmission, or electronic mail. The address for overnight delivery or hand delivery is Julie Jones, DFS Agency Clerk, Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0390. The facsimile number is (850) 488-0697. The email address is Julie.Jones@myfloridacfo.com.

Copies furnished to:

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