

FILED

APR 10 2019

Chief Financial Officer
Docketed by: *Johnson*



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

FILED
2019 APR 11 PM 1:31
DIVISION OF
ADMINISTRATIVE HEARINGS

DEPARTMENT OF FINANCIAL
SERVICES, DIVISION OF WORKERS'
COMPENSATION,

DOAH CASE NO.: 18-4515
DFS CASE NO.: 18-010-D7 -WC

Petitioner,

v.

S & M CONSTRUCTION SERVICES, LLC,

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.

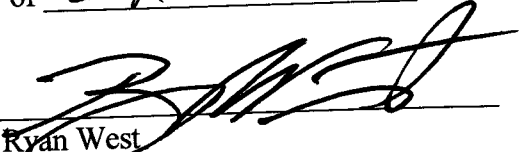
1. The name "S and M Construction Services, LLC" is replaced in the caption with "S & M Construction Services, LLC".¹
2. The first sentence of the Preliminary Statement is modified by replacing "January 16, 2018" with "January 17, 2018".²

¹ There is an ampersand in the Division of Corporations' records for this entity. See Petitioner's Exhibit 1. The ampersand was used elsewhere in the Recommended Order.

² Although the Department issued the Stop-Work Order on January 16, 2018, it did not serve Respondent until January 17, 2018. See Petitioner's Exhibit 4.

Accordingly, Respondent's petition for hearing is dismissed as untimely.

DONE and ORDERED this 10th day of April, 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.

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Administrative Law Judge
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 **MAILED**
4.10.19
J. Johnson