

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

TERALYN COLLINS,

EEOC Case No. 15D201800319

Petitioner,

FCHR Case No. 2018-03614

v.

DOAH Case No. 18-4578

AMERIHEALTH CARITAS,

FCHR Order No. 19-012

Respondent.

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

This matter is before the Commission for consideration of the Order Closing File and Relinquishing Jurisdiction, dated December 3, 2018, issued in the above-styled matter by Administrative Law Judge Lawrence P. Stevenson.

Findings of Fact and Conclusions of Law

Judge Stevenson's order reflects that Petitioner failed to comply with an order of the Administrative Law Judge.

Specifically, on October 16, 2018, Judge Stevenson issued an Order Granting Continuance, requiring a status update from the parties in writing by no later than October 26, 2018.

Petitioner did not timely respond with a status update, nor did Petitioner cooperate with Respondent in jointly complying with the order requiring the parties to confer. Respondent requested that the case be closed.

Judge Stevenson, consequently, relinquished jurisdiction to the Commission.

We note that, generally, Commission panels have concluded that a Petitioner's failure to respond to orders of an Administrative Law Judge amounts to a voluntary dismissal of the Petition for Relief. Petty v. Walton County Sheriff's Department, FCHR Order No. 17-087 (November 2, 2017), Watkins v. Michaels Arts and Crafts, FCHR Order No. 15-063 (October 14, 2015). See, also, generally, Rajasekhar v. South Florida Water Management District, FCHR Order No. 17-007 (January 19, 2017), Noel v. C and S Wholesale Services, Inc., FCHR Order No. 15-044 (July 31, 2015), Morgan v. Skin Cancer Associates, FCHR Order No. 15-035 (June 10, 2015), Herard v. MasTec, Inc., FCHR Order No. 13-034 (May 1, 2013), Cawley v. Primrose Center, Inc., FCHR Order No. 12-009 (February 21, 2012), Roundtree, et al. v. Advenir at Stonelake, LLC, FCHR Order No. 11-069 (August 30, 2011), Biggers v. Rooms To Go, FCHR Order No. 09-045 (May 12, 2009), Shook v. Riverside National Bank, FCHR Order No. 08-029 (May 6, 2008), Clifton v. Krys, et al., FCHR Order No. 07-062 (November 7, 2007), Bordonaro v. The Green at the Heather Condominium Association, Inc., FCHR Order No. 07-010 (February

14, 2007), Butler v. The Pepsi Bottling Group, FCHR Order No. 06-107 (December 4, 2006), Castellanos v. Express Net Airlines Pilots Association, FCHR Order No. 05-061 (June 15, 2005), Mayfield v. Karl's Haberdashery of Florida, Inc., FCHR Order No. 04-020 (March 10, 2004), and Kenny v. Florida Department of Corrections, FCHR Order No. 02-020 (June 3, 2002).

Based on the foregoing, we conclude that the Petition for Relief should be dismissed.

Exceptions

Neither of the parties filed exceptions to the Administrative Law Judge's Order Closing File and Relinquishing Jurisdiction.

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 6 day of February, 2019.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Tony Jenkins, Panel Chairperson;  
Commissioner Donna Elam; and  
Commissioner Jay Pichard

Filed this 6 day of February, 2019,  
in Tallahassee, Florida.

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

Copies furnished to:

Teralyn Collins  
2244 Firestone Road  
Jacksonville, FL 32210

AmeriHealth Caritas  
c/o Sarah K. Vespa, Esq.  
c/o Mark J. Ragusa, Esq.  
Gunster, Yoakley & Stewart, P.A.  
401 East Jackson Street, Ste. 2500  
Tampa, FL 33602

Lawrence P. Stevenson, 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 6 day of February, 2019.

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