FILED

APR 1 0 2019 Chief Financial Officer Docketed by:



CHIEF FINANCIAL OFFICER JIMMY PATRONIS STATE OF FLORIDA

DEPARTMENT OF FINANCIAL SERVICES, DIVISION OF WORKERS' COMPENSATION,

> DOAH CASE NO.: 18-5117 DFS CASE NO.: 17-402-D5-WC

Petitioner,

v.

CABLE WIZARD CORP.,

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.

Accordingly, Respondent's petition for hearing is accepted as timely filed.<sup>1</sup>

DONE and ORDERED this <u>10th</u> day of <u>April</u>, 2019.

Ryan West Chief of Staff

<sup>1</sup> The Recommended Order's pertinent findings, conclusions, and recommendation regarding timeliness rest on a credibility foundation. "If, as in this case, the issue is primarily one of the weight or credibility of the witnesses, it does not matter that there might be competent substantial evidence to support a contrary view of the evidence." *Stinson v. Winn*, 938 So. 2d 554, 555 (Fla. 1st DCA 2006).

## 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:

Daniel R. Vega, Esq. Taylor Espino Vega & Touron, P.A. 201 Alhambra Circle, Suite 801 Coral Gables, Florida 33134 dvega@tevlaw.com

Mattie Birster Senior Attorney Department of Financial Services 200 East Gaines Street Tallahassee, Florida 32399-0333 Mattie.Birster@myfloridacfo.com

Leon Melnicoff Senior Attorney Department of Financial Services 200 East Gaines Street Tallahassee, Florida 32399-0333 Leon.Melnicoff@myfloridacfo.com

Robert E. Meale Administrative Law Judge Division of Administrative Hearings 1230 Apalachee Parkway Tallahassee, Florida 32399-3060

