

FILED

OCT 16 2019

Chief Financial Officer,
Docketed by: *J. Johnson*



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

2019 OCT 18 AM 11:57
DIVISION OF
ADMINISTRATIVE HEARINGS

FILED

DEPARTMENT OF FINANCIAL
SERVICES, DIVISION OF WORKERS'
COMPENSATION,

DOAH CASE NO.: 18-6102
DFS CASE NO.: 18-105-D4-WC

Petitioner,

v.

MAC MAR, 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 modification: The first sentence of Conclusions of Law paragraph 28 is modified by replacing it with the following: "A request for an administrative hearing occurs when the request is filed with the Department's agency clerk during normal business hours." Paragraph 28's description of how the filing of a request for hearing occurs is broader than the language used in the rule it cites as authority for the conclusion. The modified conclusion of law, which is more narrowly tailored, is as or more reasonable than the conclusion it replaces.

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

DONE and ORDERED this 16th day of October, 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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