

STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES

NEVILLE CASTLE,

Petitioner,

v.

Final Order No: DMS-20-0002
DOAH Case No: 19-6023

STATE OF FLORIDA,
DEPARTMENT OF MANAGEMENT SERVICES,
DIVISION OF STATE GROUP INSURANCE,

Respondent.

FINAL ORDER OF DISMISSAL

THIS MATTER comes before the Department of Management Services (“Department”) for entry of a Final Order of Dismissal in accordance with section 120.569(1), Florida Statutes.

FINDINGS OF FACT

1. On October 3, 2019, pursuant to Rule 28-106.201, Florida Administrative Code, Neville Castle filed an Amended Petition for Formal Administrative Hearing with the Department of Management Services disputing the denial of certain health benefits.
2. Thereafter, Petitioner voluntarily withdrew the *Petition for Administrative Hearing* via email on January 7, 2020. Further action is time barred.

CONCLUSIONS OF LAW

3. In administrative proceedings, agency jurisdiction ceases to exist when a petition is withdrawn or voluntarily dismissed. *Rudloe v. Florida Department of Environmental Regulation*, 517 So. 2d 731, 732 (Fla. 1st DCA 1987).

4. This matter is now due to be dismissed because the Department's jurisdiction ceased when Petitioner voluntarily dismissed the petition.

It is hereby **ORDERED AND ADJUDGED**:

1. Petitioner's request for formal administrative hearing is hereby **DISMISSED**; and
2. This Final Order shall become effective on the date of filing with the Agency Clerk of the Department of Management Services.

DONE AND ORDERED this 22 day of January, 2020.



JONATHAN SATTER, Agency Secretary
Department of Management Services
4050 Esplanade Way, Suite 285
Tallahassee, Florida 32399

Copies Furnished to:

Neville Castle
Petitioner



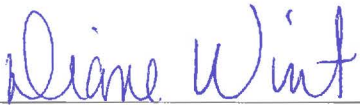
Erica D. Moore, Assistant General Counsel
Office of the General Counsel
Florida Department of Management Services
4050 Esplanade Way, Suite 160
Tallahassee, FL 32399
erica.moore@dms.myflorida.com

NOTICE OF RIGHT TO APPEAL

Unless expressly waived by a party such as in a stipulation or in other similar forms of settlement, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Agency Clerk of the Department of Management Services, and a copy, accompanied by filing fees prescribed by law, with the Clerk of the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty (30) days of rendition of this order, in accordance with Rule 9.110, Fla. R. App. P., and section 120.68, Florida Statutes.

Certificate of Clerk:

Filed in the office of the Clerk of the
the Department of Management Services
on this 22nd day of January, 2020.



Agency Clerk