

**STATE OF FLORIDA  
LAND AND WATER ADJUDICATORY COMMISSION**

FLORIDA DEPARTMENT OF ECONOMIC  
OPPORTUNITY,

Petitioner,

v.

FLWAC CASE NO.: APP-21-001  
DOAH CASE NO.: 21-1965DRI

CITY OF MARATHON and BOAT WORKS  
INVESTMENTS, LLC,

Respondents.

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**FINAL ORDER OF DISMISSAL**

This cause came before the Secretary of the Florida Land and Water Adjudicatory Commission (Commission) upon the “Order Relinquishing Jurisdiction” filed by the Division of Administrative Hearings (DOAH) Administrative Law Judge Francine M. Ffolkes on January 7, 2022. Judge Ffolkes’ Order Relinquishing Jurisdiction represents that a Status Report of the Parties filed on January 5, 2022, indicates that there are no disputed issues of fact to be resolved by DOAH in the subject proceeding. The January 5, 2022, Status Report of the Parties filed with DOAH states that on December 6, 2021, the City of Marathon withdrew Resolution 2020-92, the subject of the appeal filed with the Commission, therefore rendering the subject proceeding moot.

A copy of the DOAH Order Relinquishing Jurisdiction is attached and incorporated herein as “Exhibit A.” Additionally, a copy of the January 5, 2022, Status Report of the Parties filed with DOAH is attached and incorporated herein as “Exhibit B.”

IT IS ORDERED that the above-referenced proceeding is hereby dismissed.

**NOTICE OF RIGHTS**

Any party to this Order has the right to seek judicial review of the Final Order pursuant to section 120.68, Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001; and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days of the day this Order is filed with the Clerk of the Commission.

DONE AND ORDERED this 11th day of January, 2022.



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CHRIS SPENCER, Secretary  
Florida Land and Water  
Adjudicatory Commission

FILED with the Clerk of the Florida Land and Water Adjudicatory Commission this 11th day of January, 2022.

/s/ Barbara Leighty  
Clerk, Florida Land and Water  
Adjudicatory Commission

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered to the following persons by United States mail, hand-delivery or electronic mail this 11th day of January, 2022.

/s/ Barbara Leighty  
Clerk, Florida Land and Water  
Adjudicatory Commission

Honorable Ron DeSantis  
Governor  
The Capitol  
Tallahassee, Florida 32399

Honorable Jimmy Patronis  
Chief Financial Officer  
The Capitol  
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Honorable Ashley Moody  
Attorney General  
The Capitol  
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Honorable Nicole Fried  
Commissioner of Agriculture  
The Capitol  
Tallahassee, Florida 32399

Joshua E. Pratt, Esquire  
Mark Buckles, Esquire  
Governor's Office  
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Honorable Francine M. Ffolkes  
Executive Director and Chief Judge  
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