

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

CHATORYA WHITEHURST,

EEOC No. 15D202100727

Petitioner,

FCHR No. 2022-30157

v.

DOAH No. 22-0436

MICAH'S PLACE,

FCHR Order No. 22-100

Respondent.

**FINAL ORDER DISMISSING PETITION FOR RELIEF
FROM A DISCRIMINATORY EMPLOYMENT PRACTICE**

Preliminary Matters

On July 29, 2021, Chatorya Whitehurst, Petitioner, filed an employment discrimination complaint pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2021), alleging that the Florida Department of Health, Division of Disability Determinations, Respondent, committed unlawful discriminatory employment practices against Petitioner on the basis of race.

The allegations set forth in the complaint were investigated, and, on January 25, 2022, the Executive Director issued a "Notice of Determination: No Jurisdiction" in the case.

On February 9, 2022, Petitioner filed a Petition for Relief from a Discriminatory Employment Practice, and the case was transmitted to the Division of Administrative Hearings for the conduct of an evidentiary hearing.

A final evidentiary hearing took place on April 8, 2022, before Administrative Law Judge Garnett W. Chisenhall, via Zoom teleconference.

On July 6, 2022, Judge Chisenhall issued a Recommended Order recommending a dismissal of the Petition for Relief.

The Commission panel designated below has considered the record of this matter and determined the action to be taken on the Recommended Order.

Findings of Fact

We find that the Administrative Law Judge's findings of fact are supported by competent and substantial evidence. Accordingly, we adopt the Administrative Law Judge's findings of facts.

Conclusions of Law

We find the Administrative Law Judge's application of the law to the facts to result in a correct disposition of the matter.

Exceptions

Neither party filed exceptions to the Recommended Order.

Dismissal


The Petition for Relief and Employment Discrimination Complaint 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 28 day of Sept., 2022.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Darrick McGhee, Panel Chairperson;
Commissioner Libby Farmer; and
Commissioner Jay Pichard

Filed this 28 day of Sept., 2022, in Tallahassee, Florida.



Clerk
Commission on Human Relations
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Garnett W. Chisenhall, Administrative Law Judge, DOAH

Mary Ellen Clark, Legal Advisor to Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 28 day of Sept., 2022.

By: *Jammy Barton*
Clerk of the Commission
Florida Commission on Human Relations