

**STATE OF FLORIDA
STATE BOARD OF ADMINISTRATION**

CLEVELAND BATES,)	
)	
Petitioner,)	
)	
vs.)	DOAH Case No. 10-10096
)	SBA Case No. 2010-1920
STATE BOARD OF ADMINISTRATION,)	
)	
Respondent.)	
)	
_____)	

FINAL ORDER OF DISMISSAL

On May 4, 2011, the Administrative Law Judge in this case issued an Order to Show Cause to the Petitioner directing the Petitioner to show cause, no later than May 13, 2011, as to why the file should not be closed and the matter returned to the State Board of Administration (“SBA”), based on Petitioner’s failure to file a status report by April 6, 2011. Petitioner failed to respond to the Order to Show Cause, and the Administrative Law Judge issued an Order Closing File, relinquishing jurisdiction to the SBA. A copy of the Order Closing File is attached hereto as Exhibit A. The matter is now pending before the Senior Defined Contribution Programs Officer for final agency action.

ORDERED

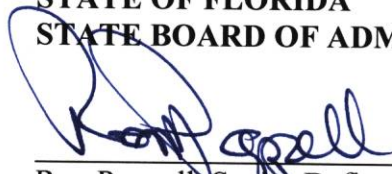
The Order Closing File (Exhibit A) hereby is adopted in its entirety. This case is CLOSED and the Petitioner’s Petition for Hearing hereby is dismissed.

Any party to this proceeding has the right to seek judicial review of the Final Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal

pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the State Board of Administration in the Office of the General Counsel, State Board of Administration, 1801 Hermitage Boulevard, Suite 100, Tallahassee, Florida, 32308, 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 thirty (30) days from the date the Final Order is filed with the Clerk of the State Board of Administration.

DONE AND ORDERED this 31st day of May, 2011, in Tallahassee, Florida.

**STATE OF FLORIDA
STATE BOARD OF ADMINISTRATION**



Ron Poppell, Senior Defined Contribution
Programs Officer
State Board of Administration
1801 Hermitage Boulevard, Suite 100
Tallahassee, Florida 32308
(850) 488-4406

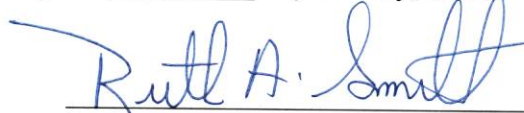
FILED ON THIS DATE PURSUANT TO
SECTION 120.52, FLORIDA STATUTES
WITH THE DESIGNATED CLERK OF THE
STATE BOARD OF ADMINISTRATION,
RECEIPT OF WHICH IS HEREBY
ACKNOWLEDGED.



Clerk **TINA JOANOS**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order of Dismissal was sent by UPS to Cleveland Bates, pro se [REDACTED], and by U.S. Mail to Brian Newman and Brandice Dickson, Esq., at Pennington, Moore, Wilkinson, Bell & Dunbar, P.A., P.O. Box 10095, Tallahassee, Florida 32302-2095, and to Patricia M. Hart, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, this 31~~st~~ day of May, 2011.



Ruth A. Smith
Assistant General Counsel
State Board of Administration of Florida
1801 Hermitage Boulevard
Suite 100
Tallahassee, FL 32308

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

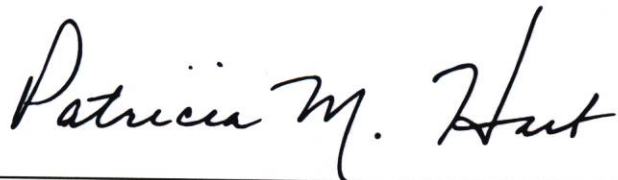
CLEVELAND BATES,)
)
 Petitioner,)
)
 vs.) Case No. 10-10096
)
 STATE BOARD OF ADMINISTRATION,)
)
 Respondent.)
 _____)

ORDER CLOSING FILE

This cause having come before the undersigned on Petitioner's failure to respond to the Order to Show Cause dated May 4, 2011, and the undersigned being fully advised, it is, therefore,

ORDERED that the file of the Division of Administrative Hearings in the above-captioned matter is hereby closed. Jurisdiction is hereby relinquished to the referring agency.

DONE AND ORDERED this 23rd day of May, 2011, in Tallahassee, Leon County, Florida.



PATRICIA M. HART
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 23rd day of May, 2011.

EXHIBIT A

COPIES FURNISHED:

Brian A. Newman, Esquire
Pennington, Moore, Wilkinson,
Bell & Dunbar, P.A.
215 South Monroe Street, Second Floor
Post Office Box 10095
Tallahassee, Florida 32302

Cleveland Bates

