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June 14, 2010

Jon S. Wheeler, Clerk of the Court  
State of Florida District Court of Appeal  
First District  
301 S. Martin Luther King, Jr. Blvd.  
Tallahassee, Florida 32399-1850

FILED  
2010 JUN 17 A 10:47  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

**DOCKETING STATEMENT**

RE: Abdul ELAmin, Petitioner

vs.

CASE NO: 1D10-2676

Dr. Eric J. Smith, Commissioner of Education, Respondent

The original Docketing Statement is hereby submitted as specified, and a copy of same has been forwarded by mail to Parties of Record.

Dated this 15 day of June, 2010

  
Abdul ELAmin, Petitioner

**CERTIFICATE OF SERVICE**

Petitioner, Abdul ELAmin, certify that a copy of the Docketing Statement has been sent, on this 15 day of June, 2010 to:

Clerk  
State of Florida Department of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

Katherine M. Richards, Executive Director  
Education Practices Commission  
Department of Education  
325 West Gaines Street, Room 224  
Tallahassee, Florida 32399-0400

Bonnie A. Wilmot, Esq.  
Florida Department of Education  
325 West Gaines Street, Room 1244  
Tallahassee, Florida 32399

RETURN ORIGINAL ONLY  
THIS IS COLOR CODED

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

DOCKETING STATEMENT FOR NON-ATTORNEY

(Amended March 31, 2010)

**EW!** (Note: Attorneys are required and pro se litigants are encouraged to complete and submit the Docketing statement online through the court's secure online portal "eDCA." If the Docketing Statement is completed and submitted electronically, this paper version is not to be filed. See the court's website at [www.1dca.org](http://www.1dca.org) for more information.)

**APPELLANT/PETITIONER:** If this case involves an original writ, is an appeal of a non-final order, or is a "child" case (as defined in paragraph 13 below), this Docketing Statement must be completed and returned immediately. In all other cases, the appellants, if not represented by counsel, must file the Docketing Statement within 20 days from the date of the court's acknowledgment notice accepting this case and assigning a case number.

**APPELLEE/RESPONDENT (AND AMICUS CURIAE):** Are not required to file a Docketing Statement unless there are amendments, corrections, or additions to the Docketing Statement filed by appellant. Appellees and Amici are only required to file the Docketing Statement if their name does not already appear on the certificate of service. Appellee's Docketing Statement is due no later than the answer brief.

**EASE PROVIDE THE FOLLOWING INFORMATION (ATTACH ADDITIONAL PAGES IF NECESSARY):**

**NAME OF CASE:** ABDUL ELAMIN, Petitioner  
DR. Eric J. Smith, Commissioner of Edu.  
**DCA CASE NUMBER:** 1D10-2676

**DOCKETING STATEMENT OF:**  
  
PARTY'S SIGNATURE: *Abdul Elamin*  
PARTY'S PRINTED NAME: ABDUL ELAMIN  
ADDRESS: 2850 SOMERSET DRIVE L700  
LUDERDALE LAKES FL. 33311  
PHONE NO.: 954-714-3972  
EMAIL ADDRESS (if available): word\_keeper@yahoo.com

Docketing statement of: Appellant/Petitioner   
Appellee/Respondent   
Amicus

All correspondence and orders are to be sent to counsel/parties as specified above.

**TYPE OF CASE:** Place a check by the most appropriate type of case.

- A. Civil Appeals
  - 1. Domestic Relations - divorce, child custody, paternity or support

- 2. Child Dependency or Termination of Parental Rights
- 3. Negligence or other Torts
- 4. Contract or Indebtedness - not involving real property issues
- 5. Real property, foreclosure, mortgage, lien
- 6. All Others - specify \_\_\_\_\_

**B. Criminal, Collateral Criminal, and Juvenile Delinquency Appeals**

- 1. Direct Appeal - judgment and sentence
- 2. Juvenile delinquency
- 3. Post Conviction Appeals – Rule 3.800, 3.850, or 3.853
- 4. Appeal of the denial of a Habeas Corpus
- 5. Inmate Appeal - gain time, rule challenges, disciplinary action
- 6. Appeal by the State
- 7. All Others - specify \_\_\_\_\_

**C. Administrative Appeals (Including Unemployment Appeals Compensation)**

- 1. Unemployment Appeals Commission
- 2. Department of Revenue/Child Support
- 3. Rule Challenge - specify agency FLORIDA DEPARTMENT ADMINISTRATIVE HEARINGS
- 4. All others - specify \_\_\_\_\_

**D. Workers' Compensation Appeals or Original Petitions in Workers' Compensation matters**

- 1. Final Order Appeal
- 2. Non-Final Order Appeal
- 3. Certiorari Petition
- 4. Other Original Writ – specify \_\_\_\_\_

**E. Original Petitions**

- 1. Petition for Writ of Certiorari

- 2. Petition for Writ of Prohibition
- 3. Petition for Writ of Mandamus
- 4. Petition for Writ of Habeas Corpus
- 5. All others - specify \_\_\_\_\_

For items 4-12 you are required to provide information you have.

**REAL PARTIES IN INTEREST:** List names and addresses (including email addresses if known) of all persons, businesses, and organizations having a direct interest in the outcome of this action.

Athleen M. Richards, Administrator Bureau of Prof. Practices Svcs. Office of Attorney Gen  
 Education Practices Comm. 325 W. GAINES ST. Room 224 E The Capitol PLOI  
 25 W. GAINES ST. Rm. 224 TALLAHASSEE, FL. 32399-0400 TALLAHASSEE, FL. 32399  
 Tallahassee, FL. 32399

**JUDGES BELOW:** List the name and lower tribunal of all judge(s), deputy commissioner(s), master(s), and hearing officer(s)/examiner(s) who were involved in this action below

HON. ERROL H. POWELL, Administrative Law Judge  
 Division of Administrative Hearings  
 1230 Apalachee Pkwy  
 TALLAHASSEE, FL. 32399-3060

**ATTORNEYS:** List the names and addresses (including email addresses if known) of all attorneys who are, or have been, of record in this case and who they represent.

BONNIE ANN WILMOT, Esq.  
 Department of Education  
 325 West Gaines Street Rm. 1244  
 TALLAHASSEE, FL. 32399

If this case is an appeal of a final order or of a partial final judgment, are there any matters still pending in the lower tribunal? No  Yes  If yes, please explain specifically the nature of the order being appealed and what matter remains pending in the lower tribunal.

Due to the Department of Administrative Hearing relinquishing authority, jurisdiction was remanded to the Education Practices Commission, which has scheduled a non-discretionary hearing, said to simply offer due process, to be held in Tallahassee June 25, 2010.

**RECUSALS:** For the information of the court, do you believe any judge(s) on this court should not participate in this case? No  Yes  If so, list the judge(s) and state your reasons for that belief. (Note: Providing information in this box will not supplant the need for an appropriate separate motion if you intend to seek the disqualification of a judge.)

**PENDING CASES:**

(a) Are there any other cases now pending before this court arising from the same case in the lower tribunal? No  Yes  If so, list the style and docket number of those cases.

(b) Are there any other cases now pending before this court which involve the same or similar issues? No  Yes  If so, list the style and docket number of those cases and state the issue(s).

(c) Are there any cases now pending before this court which are related to this case for reasons other than those set forth in 9(a) and 9(b) above, including, but not limited to cases arising from the same set of facts? No  Yes  If so list the style and docket number of those cases and state the reason(s) the cases are related.

1. PRIOR PROCEEDINGS: Are there any prior previously decided or closed proceeding in this court which involve the same parties or issues which are being addressed in this case? No  Yes  If so, list the style, docket number or citation of those cases.

2. CURRENT AND PRIOR PROCEEDINGS IN OTHER COURTS: Are there any pending or prior proceedings in other courts related to this action? No  Yes  If so, list the style, case number, and court of those cases.

3. PROCEEDINGS BELOW: Are there any cases other than this case pending before a lower tribunal, or about to be filed in this court, which involve the same controversy or parties, or substantially similar issue(s)? No  Yes  If so, list each such case by style, case number, and tribunal where filed.

**PLEASE READ CAREFULLY**

4. CHILD CASES: Does this appeal directly involve and substantially affect child custody/visitation, support, placement, juvenile dependency, termination of parental rights, or delinquency?

as  No

Unless good cause to the contrary is shown by any party, the court will follow a policy of expediting appeals which involve child custody, support, placement, dependency, termination of parental rights, and delinquency. The briefing schedule in dependency and termination of parental rights cases is expedited by court orders. However, no extensions of time for briefing will be granted except in extreme emergency; motions will not toll the running of the briefing schedule; and the case will be processed in an expedited manner and decided as early as the interests of justice permit. (NOTE: In dependency and termination of parental rights cases you are required to strictly comply with the expediting order. In other child cases, the court encourages the parties to stipulate to an abbreviated briefing schedule and to arrange with the lower court for the records to be transmitted earlier than the time provided by the Florida Rules of Appellate Procedure.)

CERTIFICATION OF GOOD FAITH AND CERTIFICATE OF SERVICE

I hereby certify the following:

- The information I provided above is accurate and complete.
- I am familiar with and have had the opportunity to read: the court's Notice to Attorneys and Parties. This document contains important information and is available on the Court's website at [www.1dca.org](http://www.1dca.org).
- If this is a Workers' Compensation case, I have read and am familiar with the court's Notice addressing the extensions of time in filing of workers' compensation briefs.
- If I am an appellant in an Unemployment Appeals Commission case, I have read and am familiar with the court's Important Notice in Unemployment Compensation Cases.
- It is my responsibility to mail or deliver the original pink Docketing Statement to the First District Court of Appeal and it is my responsibility to ensure that a copy of the Docketing Statement is served on the other side. I certify that I will mail or deliver a copy of this Docketing Statement to all Parties of Record or their attorneys or, if I have received permission from the other side to provide service by electronic means, I will provide an electronic copy of the Docketing Statement to all Parties of Record or their Attorneys.

Date: 06/15/10

By: [Signature]  
(signature)

Address: 2850 Somerset Drive L100  
Lauderdale Lakes, FL. 33311

Email Address (if available): word\_keeper@yahoo.com

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