

4-9-01
STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

Lonnie McMillon

Petitioner,

EEOC Case NO.15D970096
FCHR Case NO.96-J347
DOAH Case NO.00-2315
FCHR Order NO.01-059

FILED
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DIVISION OF
ADMINISTRATIVE
HEARINGS
WHP

EJD closed

v.

MacTavish Furniture Industries.

AT

Respondent.

**FINAL ORDER DISMISSING PETITION FOR RELIEF FROM AN UNLAWFUL
EMPLOYMENT PRACTICE**

I. Panel of Commissioners

The following 3 Commissioners participated in the disposition of this matter:

Commissioner Aristides Sosa, Panel Chairperson
Commissioner Leonie Hermantin
Commissioner Juan Montes

II. Appearances

For Petitioner: Lonnie McMillon, Pro Se

For Respondent: Sheri Coursey, Esq.

III. Preliminary Matters

Petitioner filed a complaint of discrimination with this Commission, pursuant to F.S. Ch.760, alleging Respondent committed an unlawful employment practice on the basis of race, when Petitioner was discharged from his job.

Public deliberations were held by the Commission on September 25, 2001.

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IV. Findings of Fact

The Judge's findings of fact are supported by competent substantial evidence. We adopt the Judge's findings of fact, and agree that the Respondent did not commit an unlawful employment practice based on race.

V. Conclusions of Law

We adopt the Judge's conclusions of law.

VI. Exceptions

The exceptions of the Petitioner are denied, as they go only to the weight of the evidence or are irrelevant.

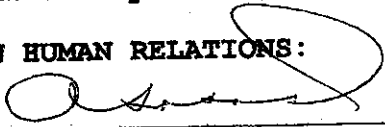
VII. Dismissal

Petitioner's Petition For Relief is **DISMISSED** with prejudice by a vote of the Panel of 2 to 1, Commissioner Hermantin voting not to accept the Judge's Recommended Order.

Each party is advised of their right to petition the Florida District Court of Appeal for judicial review of this Final Agency Order. Such Notice of Appeal must be filed within 30 days of the date that this order is filed with the Clerk of the Commission. See Section 120.68, Florida Statutes, and the Florida Rules of Appellate Procedure, Rule 9.110, for the complete requirements and rules on the right to appeal, and the applicable procedure.

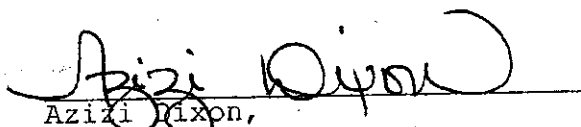
DONE AND ORDERED THIS 25th DAY OF September, 2001

FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:



Commissioner Aristides Sosa,
Panel Chairperson
Commissioner Leonie Hermantin
Commissioner Juan Montes

Filed this 11 day of October, 2001,
in Tallahassee, Florida.



Azizi Dixon,
Clerk of the Commission

NOTICE TO COMPLAINANT/PETITIONER

As your complaint was filed under Title VII of the Civil Rights Act of 1964, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC), you have the right to request EEOC to review this Commission's final agency action. To secure a "substantial weight review" by EEOC, you must request it in writing within 15 days of your receipt of this Order. Send your request to the Miami District Office (EEOC), one Biscayne Tower, 2 South Biscayne Blvd., Suite 2700, 27th Floor, Miami, FL 33131.

Copies furnished to:

Lonnie McMillon
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Gretna, FL 32332

Sheri Coursey, Esq.
Kilpatrick, Stockton, LLP
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309-4530

Miles A. Lance, Legal Advisor for the Commission Panel

Ella Jane P. Davis, Administrative Law Judge