

8-28-01

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

02 JUL 29 PM 2:30  
ADMINISTRATIVE  
HEARINGS

CYNTHIA AUSBY

Petitioner,

AT

v.	EEOC Case No.	None
	FCHR Case No.	96-1637
	DOAH Case No.	01-1493 SFN-CWS
	FCHR Order No.	02-030

DEPARTMENT OF CHILDREN  
AND FAMILY SERVICES

Respondent.

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

Petitioner filed a charge of discrimination claiming she was discriminated against because of race, color, sex handicap and retaliation. A hearing was held, and a transcript was made. No exceptions were found in the file.

Although there is a complicated procedural aspect to the case, the Judge held that the Respondent should prevail on merits because there was no evidence of discrimination, and recommended dismissal of the Petition.

The Judge's dismissal on the merits was correct since it was supported by competent substantial evidence in the record, and the Petition should be dismissed. There are no recognizable errors of law as applied to the facts of this case.

**DISMISSAL**

The Charge of Discrimination is hereby **Dismissed**.

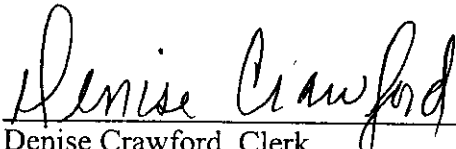
The Parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive a Notice of Appeal within 30 days of the date of this Order is filed with the Clerk of the Commission. Explanation of the right to appeal is found in Section 120.68, Florida Statutes, and the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED THIS 26<sup>th</sup> DAY OF July, 2002, FOR THE  
FLORIDA COMMISSION ON HUMAN RELATIONS

Commission Panel Chairperson  
Roosevelt Paige  
Commissioner John Corbett  
Commissioner Donna Elam

Filed this 26<sup>th</sup> day of July, 2002,

In Tallahassee, Florida.

  
Denise Crawford, Clerk  
Florida Commission on Human Relations  
2009 Apalachee Parkway, Suite 100  
Tallahassee, Florida 32301  
(850) 488-7082

#### NOTICE TO COMPLAINTANT/PETITIONER

As your complain 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 with 15 days of your receipt of this Order. Send your request to Miami District Office (EEOC), One Biscayne Tower, 2 South Biscayne Blvd., Suite 2700, 27<sup>th</sup> Floor, Miami, Florida 33131.

Copies Furnished to:

Cynthia Ausby  
5 Hemlock Loop Lane  
Ocala, Florida 34472

Ralph McMurphy, Esquire  
Department of Children and Family Services  
1601 West Gulf Atlantic Highway  
Wildwood, Florida 34785-8158

Miles A. Lance, Assistant General Counsel

Suzanne F. Hood, Administrative Law Judge, DOAH