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ADMISSIVE
11/13/01

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

AT

UNITED SERVICES AUTOMOBILE
ASSOCIATION,

EEOC Case No. 151A00766

Petitioner,

FCHR Case No. 20-03286

v.

DOAH Case Nos. 00-2929
01-0550F

LPS-CLOS

ANTHONY CIRRUZZO,

FCHR Order No. 02-096

Respondent.

FINAL ORDER DISMISSING PETITION FOR COSTS

Preliminary Matters

Respondent Anthony Cirruzzo filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (1997), alleging that Petitioner United Services Automobile Association committed an unlawful employment practices on the basis of Respondent's age (40), when it demoted Respondent and denied Respondent promotions.

Respondent filed a Petition for Relief from an Unlawful Employment Practice and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

Prior to the conduct of a formal hearing, Administrative Law Judge Lawrence P. Stevenson issued an Order Closing File, on January 9, 2001, based on Respondent's voluntary dismissal of the Petition for Relief.

The Commission issued a Notice of Dismissal on January 17, 2001.

Petitioner filed a motion to tax costs and a formal hearing on that issue was held in Tampa, Florida, on April 5, 2001, before Judge Stevenson.

Judge Stevenson issued a Recommended Order, recommending the Commission deny Petitioner's request to tax costs against Respondent, dated May 8, 2001.

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

Findings of Fact

A transcript of the proceeding before the Administrative Law Judge was not filed with the Commission.

We adopt the Administrative Law Judge's findings of fact.

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.

We adopt the Administrative Law Judge's conclusions of law.

Exceptions

Neither party filed exceptions to the Administrative Law Judge's Recommended Order.

Dismissal

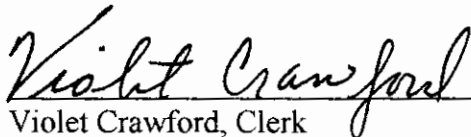
Petitioner's petition for costs is denied and DISMISSED with prejudice.

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 4th day of DECEMBER, 2002.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Roosevelt Paige, Panel Chairperson;
Commissioner John Corbett; and
Commissioner Leonie Hermantin

Filed this 4th day of DECEMBER, 2002,
in Tallahassee, Florida.


Violet Crawford, Clerk
Commission on Human Relations
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Lawrence P. Stevenson, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 4th day of DECEMBER, 2002.

By: Kristel Crawford
Clerk of the Commission
Florida Commission on Human Relations