

**STATE OF FLORIDA
STATE BOARD OF ADMINISTRATION**

FERNANDO MCELROY,)	
)	
Petitioner,)	
)	
vs.)	Case No. 2011-2180
)	
STATE BOARD OF ADMINISTRATION,)	
)	
Respondent.)	
)	
_____)	

FINAL ORDER

On September 15, 2011, the presiding officer submitted her Recommended Order of Dismissal to the State Board of Administration in this proceeding. A copy of the Recommended Order of Dismissal indicates that copies were served upon the pro se Petitioner, Fernando McElroy, and upon counsel for the Respondent. A copy of the presiding officer's Recommended Order of Dismissal is attached hereto as Exhibit A. The matter is now pending before the Senior Defined Contribution Programs Officer for final agency action.

ORDERED

The Recommended Order of Dismissal (Exhibit A) hereby is adopted in its entirety. 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 8th day of December, 2011, in Tallahassee, Florida.

**STATE OF FLORIDA
STATE BOARD OF ADMINISTRATION**



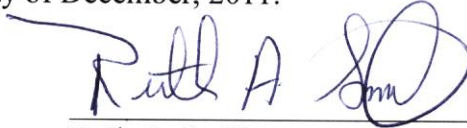
Ron Poppell, Senior Defined Contribution
Programs Officer
State Board of Administration
1801 Hermitage Boulevard, Suite 100
Tallahassee, Florida 32308
(850) 488-4406

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 was sent by UPS to Fernando McElroy, 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, this 8th day of December, 2011.



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

STATE OF FLORIDA
STATE BOARD OF ADMINISTRATION

FERNANDO MCELROY

Petitioner,

CASE NO. 2011-2180

vs.

STATE BOARD OF ADMINISTRATION,

Respondent.

ORDER RECOMMENDING DISMISSAL

In accordance with the Petitioner's direction, made at hearing on September 14, 2011, at the conclusion of proceedings, that he wishes to withdraw his Petition, I hereby recommend that the State Board of Administration enter a Final Order dismissing Petitioner Fernando McElroy's Petition.

DONE AND ORDERED at Tallahassee, Leon County, Florida, and this 15th day of September, 2011.



Anne Longman, Esquire
Presiding Officer
For the State Board of Administration
Lewis, Longman & Walker, P.A.
315 South Calhoun Street, Suite 830
Tallahassee, FL 32301-1872

Filed with:
Agency Clerk
Office of the General Counsel

RECEIVED
STATE BOARD OF ADMIN
11 SEP 19 AM 10:16
GENERAL COUNSEL'S OFFICE

EXHIBIT A

Florida State Board of Administration
1801 Hermitage Boulevard, Suite 100
Tallahassee, Florida 32308
(850) 488-4406

This 15th day of September, 2011.

Copies furnished to:
Fernando McElroy



Petitioner

Brian A. Newman, Esquire
Brandice D. Dickson
Pennington, Moore, Wilkinson Bell & Dunbar
Post Office Box 10095
Tallahassee, FL 32302-2095
Attorneys for Respondent