

**STATE OF FLORIDA
STATE BOARD OF ADMINISTRATION**

JOHN D. MCGAHEE)	
)	
Petitioner,)	
)	
vs.)	DOAH Case No. 20-3477
)	
STATE BOARD OF ADMINISTRATION,)	
)	
Respondent.)	
_____)	

FINAL ORDER OF DISMISSAL

On August 27, 2020, the Petitioner, John D. McGahee, filed a Notice of Voluntary Dismissal (“Notice”) with prejudice with the Division of Administrative Hearings (“DOAH”). In response to the Notice, Administrative Law Judge Robert L. Kilbride entered, on August 27, 2020, an Order Closing File and Relinquishing Jurisdiction back to the SBA, which is attached as Exhibit A. The matter is now pending before the Chief of Defined Contribution Programs for final agency action.

ORDERED

This Final Order of Dismissal is entered dismissing the Petitioner’s case, based on Petitioner’s voluntary withdrawal of his Petition for Hearing that initiated the case.

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 9th day of November, 2020, in Tallahassee,
Florida.

**STATE OF FLORIDA
STATE BOARD OF ADMINISTRATION**



Daniel Beard
Chief of Defined Contribution Programs
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.



Tina Joanos
Agency Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order was sent via electronic mail to John D. McGahee, *pro se*, [REDACTED] and by U.P.S. to [REDACTED] and by electronic mail to Rex D. Ware, Esq., Moffa, Sutton & Doninni, PA, 3500 Financial Plaza, Suite 330, Tallahassee, Florida 32312, rexware@floridasalestax.com, this 9th day of November, 2020.



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

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

JOHN D. MCGAHEE,

Petitioner,

vs.

Case No. 20-3477

STATE BOARD OF ADMINISTRATION,

Respondent.

ORDER CLOSING FILE AND RELINQUISHING JURISDICTION

This cause having come before the undersigned on Petitioner, John D. McGahee's Notice of Voluntary Dismissal, filed August 27, 2020, and the undersigned being otherwise fully advised, it is, therefore,

ORDERED that:

1. The final hearing scheduled for October 13, 2020, is canceled.
2. The file of the Division of Administrative Hearings is closed. Jurisdiction is relinquished to the State Board of Administration.

DONE AND ORDERED this 27th day of August, 2020, in Tallahassee, Leon County, Florida.



ROBERT L. KILBRIDE
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

EXHIBIT A

Filed with the Clerk of the
Division of Administrative Hearings
this 27th day of August, 2020.

COPIES FURNISHED:

John D. McGahee



Rex D. Ware, Esquire
Moffa, Sutton & Donnini, P.A.
3500 Financial Plaza, Suite 330
Tallahassee, Florida 32312
(eServed)