

**STATE OF FLORIDA  
STATE BOARD OF ADMINISTRATION**

JOHN D. NUNES,	)	
	)	
Petitioner,	)	
	)	
vs.	)	SBA Case No. 2017-0342
	)	
STATE BOARD OF ADMINISTRATION,	)	
	)	
Respondent.	)	
_____	)	

**FINAL ORDER OF DISMISSAL**

On November 29, 2018, the Presiding Officer submitted her Recommended Order of Dismissal (“Order”) on Respondent’s Status Report that indicated that a Nolle Prosequi had been entered indicating that Petitioner had complied with all the terms of his pre-trial intervention and would not be prosecuted for the crimes that were the subject of the forfeiture. As such, there is no controversy remaining to resolve. A copy of the Order, recommending that the matter be dismissed, is attached hereto as Exhibit A. The matter is now pending before the Chief of Defined Contribution Programs for final agency action.

**ORDERED**

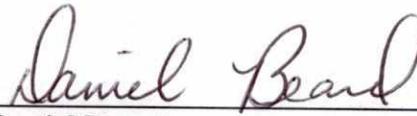
The Recommended Order of Dismissal (Exhibit A) is hereby adopted in its entirety. The Petitioner’s petition for a hearing hereby is dismissed.

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 16<sup>th</sup> day of January, 2019, in Tallahassee, Florida.

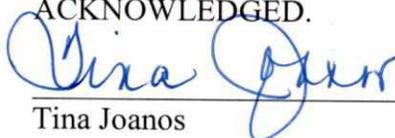
**STATE OF FLORIDA  
STATE BOARD OF ADMINISTRATION**



**Daniel Beard**

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

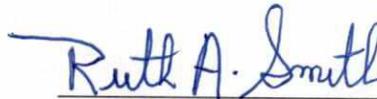
FILED ON THIS DATE PURSUANT TO  
SECTION 120.52, FLORIDA STATUTES  
WITH THE DESIGNATED CLERK OF THE  
STATE BOARD OF ADMINISTRATION,  
RECEIPT OF WHICH IS HEREBY  
ACKNOWLEDGED.



Tina Joanos  
Agency Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order of Dismissal was sent to John D. Nunes, pro se, both by email transmission, [REDACTED] and by email transmission to Brian Newman, Esq. ([brian@penningtonlaw.com](mailto:brian@penningtonlaw.com)) and Brandice Dickson, Esq., ([brandi@penningtonlaw.com](mailto:brandi@penningtonlaw.com)) at Pennington, Moore, Wilkinson, Bell & Dunbar, P.A., P.O. Box 10095, Tallahassee, Florida 32302-2095, this 16<sup>th</sup> day of January, 2019.



\_\_\_\_\_  
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

JOHN D. NUNES

Petitioner,

vs.

CASE NO. 2017-0342

STATE BOARD OF ADMINISTRATION,

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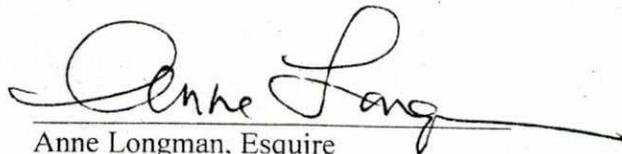
**RECOMMENDED ORDER OF DISMISSAL**

Pursuant to that Status Report filed November 28, 2018, Respondent shows that a Nolle Prosequi has been entered in the matter which was the basis for a hold having been placed on Petitioner's Investment Plan account, as Petitioner has successfully completed a Pre-Trial Intervention contract.

I therefor recommend that Respondent SBA enter a final order dismissing this case.

DONE AND ENTERED this 29<sup>th</sup> day of November, 2018 in Tallahassee, Leon County,

Florida.



Anne Longman, Esquire  
Presiding Officer  
For the State Board of Administration  
Lewis, Longman & Walker, P.A.  
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Filed via electronic delivery with:  
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COPIES FURNISHED via mail and electronic mail to:

John D. Nunes



Petitioner

and via electronic mail only to:

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Counsel for Respondent