## STATE OF FLORIDA STATE BOARD OF ADMINISTRATION

MARY A. MCCLUNG,	)	
	)	
Petitioner,	)	
	)	
VS.	)	Case No. 2010-1809
	)	
STATE BOARD OF ADMINISTRATION	N, )	
	)	
Respondent.	)	
	)	
	)	

### FINAL ORDER

On August 30, 2010, the presiding officer submitted her Recommended Order of Dismissal to the State Board of Administration in this proceeding, in which she recommended that the Petition for Hearing be dismissed. A copy of the Recommended Order of Dismissal indicates that copies were served upon the pro se Petitioner, Mary A. McClung, 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 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 200, 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 \_\_\_\_day of September, 2010, 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.

Sina Janna Clerk Tina Joanos

# **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order		
vas sent by certified US Mail to		
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 day of September, 2010.		
Red A. Smill		
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

MARY A. MCCLUNG

Petitioner,

CASE NO. 2010-1809

ATE BOOKS ADMIN

VS.

STATE BOARD OF ADMINISTRATION,

Respondent.

## RECOMMENDED ORDER OF DISMISSAL

In accordance with the Joint Motion to Dismiss filed by Respondent, State Board of Administration on August 23, 2010 indicating that Petitioner has filed a valid second election into the Investment Plan, and it appearing therefore that the case is moot;

It is hereby recommended that Respondent, State Board of Administration, dismiss the instant Petition.

DONE AND ORDERED at Tallahassee, Leon County, Florida, this

\_\_\_ day of

August, 2010.

Anne Longman, Esquire

Presiding Officer

For the State Board of Administration

Lewis, Longman & Walker, P.A.

P.O. Box 16098

Tallahassee, FL 32317

Filed with:

Agency Clerk

Office of the General Counsel

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

This Solday of August, 2010.

Copies furnished to:



Petitioner

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