

**AGENCY FOR WORKFORCE INNOVATION  
TALLAHASSEE, FLORIDA**

**PETITIONER:**

Employer Account No. - 2844238  
STEINBERG STEARNS & CRUZ LLC  
BEN DUBAY  
8056 OLD COUNTY ROAD 54  
NEW PORT RICHEY FL 34653-6457

**PROTEST OF LIABILITY  
DOCKET NO. 2010-26427L**

**RESPONDENT:**

State of Florida  
AGENCY FOR WORKFORCE INNOVATION  
c/o Department of Revenue

**ORDER**

This matter comes before me for final Agency Order.

An *Order to Show Cause* mailed to the Petitioner on March 8, 2010, provided fifteen (15) calendar days for the Petitioner to explain why its protest filed January 5, 2010, should be considered a timely appeal to the determination dated December 14, 2009. Since no evidence of timely filing was received, the Petitioner's protest is dismissed pursuant to Rule 60BB-2.035(5), Florida Administrative Code.

In consideration thereof, it is ORDERED that the Petitioner's protest of the determination dated December 14, 2009, is dismissed due to lack of jurisdiction.

DONE and ORDERED at Tallahassee, Florida, this \_\_\_\_\_ day of **April, 2010**.



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TOM CLENDENNING  
Director, Unemployment Compensation Services  
AGENCY FOR WORKFORCE INNOVATION

**AGENCY FOR WORKFORCE INNOVATION  
Unemployment Compensation Appeals  
MSC 345 CALDWELL BUILDING  
107 EAST MADISON STREET  
TALLAHASSEE, FL 32399-4143**

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### ORDER TO SHOW CAUSE

The Petitioner is directed to show cause why the Director should not dismiss the petition for lack of jurisdiction pursuant to Section 443.141(2)(c), Florida Statutes, and Rules 60BB-2.035(5) and 60BB-2.022(5), Florida Administrative Code.

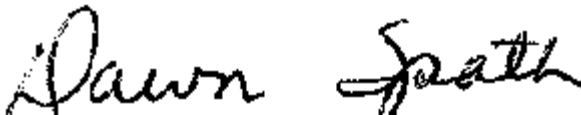
The Petitioner is directed to file a written statement within fifteen (15) calendar days of the mailing date of this Order, explaining why the protest should not be dismissed for lack of jurisdiction. The statement should specifically address whether the protest was filed within the time allowed by law.

The following documents are attached for consideration by the Petitioner:

1. Letter of determination dated December 14, 2009,
2. Letter of protest dated January 4, 2010, and
3. Envelope in which letter of protest was received postmarked January 5, 2010.

Done and ordered on March 8, 2010 at TALLAHASSEE, FL.

This is to certify that this *Order to Show Cause* was sent to the last known address of each interested party on or before March 8, 2010.



DAWN SPATH, Special Deputy Clerk

DOROTHY JOHNSON,  
Unemployment Compensation Appeals

FAX: (850) 921-3594

Copies mailed to:

Petitioner

Respondent: DOR Protest Coordinator  
Wage Determination Unit

DAVID R DUBAY  
4965 MARLIN DR  
NEW PORT RICHEY FL 34652

DEPARTMENT OF REVENUE  
ATTN: DENNIS FINKEY - BUILDING G  
5050 WEST TENNESSEE STREET  
TALLAHASSEE FL 32399-0100

DOR BLOCKED CLAIMS UNIT  
ATTENTION MYRA TAYLOR  
P O BOX 6417  
TALLAHASSEE FL 32314-6417