

**AGENCY FOR WORKFORCE INNOVATION  
TALLAHASSEE, FLORIDA**

**PETITIONER:**

Employer Account No. - 2907291  
SIMPLY CINEMATIC INC  
RAINER FLOR  
23 S OSCEOLA AVE  
ORLANDO FL 32801

**RESPONDENT:**

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

**PROTEST OF LIABILITY  
DOCKET NO. 2010-80838L**

**ORDER**

This matter comes before me for final Agency Order.

An *Order to Show Cause* mailed to the Petitioner on June 29, 2010, provided fifteen (15) calendar days for the Petitioner to explain why its protest filed May 13, 2010, should be considered a timely appeal to the determination dated April 20, 2010. The Petitioner submitted a written response to the *Order to Show Cause* on July 15, 2010. Rule 60BB-2.035(5) of the Florida Administrative Code requires that a protest be dismissed if the Petitioner does not provide written evidence that the protest is timely within 15 days of the issuance of the *Order to Show Cause*. Since the Petitioner's response was not filed within 15 days of the issuance of the *Order to Show Cause*, 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 April 20, 2010, is dismissed due to lack of jurisdiction.

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



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TOM CLENDENNING  
Assistant Director  
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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**PROTEST OF LIABILITY  
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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.

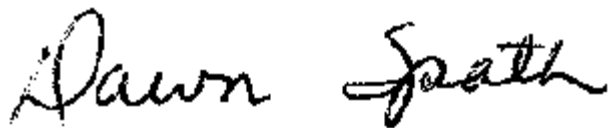
The Petitioner is directed to file a written statement within fifteen (15) calendar days of the mailing date of this Order, explaining why the protest should not be dismissed for lack of jurisdiction. The statement should specifically address whether the protest was filed within the time allowed by law.

The following documents are attached for consideration by the Petitioner:

1. Letter of determination dated April 20, 2010, and
2. Letter of protest dated/postmarked May 13, 2010.

Done and ordered on June 29, 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 June 29, 2010.



DAWN SPATH, Special Deputy Clerk

JOHN PELHAM

**Unemployment Compensation  
 Appeals**

**FAX: (850) 921-3594**

Copies mailed to:

Petitioner

Respondent: DOR Protest Coordinator  
Wage Determination Unit

NELSON URENA  
13900 CORRINE KEY PL  
ORLANDO FL 32824

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