

**DEPARTMENT OF ECONOMIC OPPORTUNITY
TALLAHASSEE, FLORIDA**

PETITIONER:

Employer Account No. - 3033888
G & S FENCE AND DECK LLC
6039 RANCH ROAD
TALLAHASSEE FL 32311

RESPONDENT:

State of Florida
DEPARTMENT OF ECONOMIC
OPPORTUNITY
c/o Department of Revenue

**PROTEST OF LIABILITY
DOCKET NO. 2011-128363L**

ORDER

This matter comes before me for final Department Order.

An *Order to Show Cause* mailed to the Petitioner on October 19, 2011, provided fifteen (15) calendar days for the Petitioner to explain why its protest filed September 30, 2011, should be considered a timely appeal to the determination dated July 14, 2011. 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 July 14, 2011, is dismissed due to lack of jurisdiction.

DONE and ORDERED at Tallahassee, Florida, this ____ day of **December, 2011**.



TOM CLENDENNING
Director of Workforce Services
DEPARTMENT OF ECONOMIC OPPORTUNITY

**THE DEPARTMENT OF ECONOMIC OPPORTUNITY
Unemployment Compensation Appeals
MSC 350WD CALDWELL BUILDING
107 EAST MADISON STREET
TALLAHASSEE, FL 32399-4143**

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RESPONDENT:

State of Florida
THE DEPARTMENT OF ECONOMIC
OPPORTUNITY
c/o Department of Revenue

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 July 14, 2011, and
2. Letter of protest dated/postmarked September 30, 2011.

Done and ordered on October 19, 2011 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 October 19, 2011.

John Pelham, Appeals Manager
Unemployment Compensation Appeals
FAX: (850) 921-3219


SHANEDRA Y. BARNES, Deputy Clerk

Wage Determination Unit

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DEPARTMENT OF REVENUE
ATTN: VANDA RAGANS - CCOC #1 4624
5050 WEST TENNESSEE STREET
TALLAHASSEE FL 32399

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