

**AGENCY FOR WORKFORCE INNOVATION  
TALLAHASSEE, FLORIDA**

**PETITIONER:**

Employer Account No. - 2923054  
ATOMIC FUNK COMPANY  
THEODORA GUNTER  
18041 BISCAYNE BLVD PH2  
AVENTURA FL 33160-5253

**RESPONDENT:**

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

**PROTEST OF LIABILITY  
DOCKET NO. 2010-126903L**

**ORDER**

This matter comes before me for final Agency Order.

An *Order to Show Cause* mailed to the Petitioner on September 24, 2010, provided fifteen (15) calendar days for the Petitioner to explain why its protest filed June 30, 2010, should be considered a timely appeal to the determination dated October 16, 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 October 16, 2009, is dismissed due to lack of jurisdiction.

DONE and ORDERED at Tallahassee, Florida, this \_\_\_\_\_ day of **November, 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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**RESPONDENT:**

State of Florida  
AGENCY FOR WORKFORCE INNOVATION  
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:

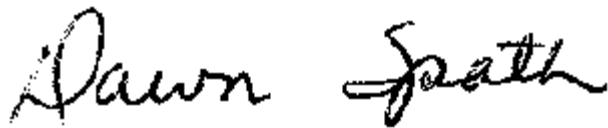
1. Letter of determination dated October 16, 2009, and
2. Letter of protest dated/postmarked June 30, 2010.

Done and ordered on September 24, 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 September 24, 2010.

John Pelham, Appeals Manager

**Unemployment Compensation  
Appeals**



DAWN SPATH, Special Deputy Clerk

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

Copies mailed to:

Petitioner

Respondent: DOR Protest Coordinator  
Wage Determination Unit

MICHELLE STUBBS  
10231 E BAY HARBOR DR APT 3A  
BAY HARBOR ISLAND FL 33154

DEPARTMENT OF REVENUE  
ATTN: DENNIS FINKEY  
5050 WEST TENNESSEE STREET  
CCOC 1-1400  
TALLAHASSEE FL 32399

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