

**AGENCY FOR WORKFORCE INNOVATION
TALLAHASSEE, FLORIDA**

PETITIONER:

Employer Account No. - 2474993
FOB ASIA CORP
RICARDO ARIAS
5255 NW 165TH STREET
HIALEAH FL 33014-6230

RESPONDENT:

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

**PROTEST OF LIABILITY
DOCKET NO. 2010-44316L**

ORDER

This matter comes before me for final Agency Order.

An *Order to Show Cause* mailed to the Petitioner on April 8, 2010, provided fifteen (15) calendar days for the Petitioner to explain why its protest filed January 26, 2010, should be considered a timely appeal to the determination dated December 30, 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 30, 2009, is dismissed due to lack of jurisdiction.

DONE and ORDERED at Tallahassee, Florida, this _____ day of **May, 2010**.



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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DOCKET NO. 2010-44316L**

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:

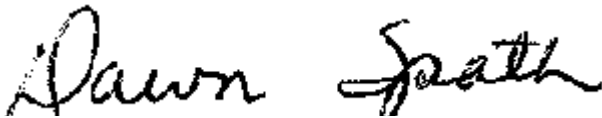
1. Letter of determination dated December 30, 2009,
2. Letter of protest dated/postmarked January 26, 2010, and
3. Envelope in which protest was received dated/postmarked January 26, 2010.

Done and ordered on April 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 April 8, 2010.

DOROTHY JOHNSON,

**Unemployment Compensation
Appeals**



DAWN SPATH, Special Deputy Clerk

FAX: (850) 921-3594

Copies mailed to:

Petitioner

Respondent: DOR Protest Coordinator

Wage Determination Unit

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

MIAMI TAX OFFICE
ATTN: LARRY MASSA
8175 NW 12TH STREET SUITE 418
MIAMI FL 33126-1831

DEPARTMENT OF REVENUE
ATTN: MARK BAKER
8175 NW 12TH STREET SUITE 237
MIAMI FL 33126