

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

COCKTAILS PLUS,

Appellant,

v.

CASE NO. 1D07-1514

DEPARTMENT OF BUSINESS AND
P R O F E S S I O N A L
REGULATION/DIVISION OF
ALCOHOLIC BEVERAGES AND
TOBACCO,

Appellee.

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Opinion filed June 29, 2007.

An appeal from a final order of the Division of Alcoholic Beverages and Tobacco.
Steven M. Hougland, Judge.

John W. Bolanovich of Bogin, Munns & Munns, Orlando, for Appellant.

Christy Ruth and Jennifer A. Tschetter, Division of Alcoholic Beverages and
Tobacco, Tallahassee, for Appellee.

ORDER

Having considered the appellant's response to this Court's order of April 16,
2007, the jurisdictional show cause order is hereby DISCHARGED.

The appellant's notice of appeal, filed March 23, 2007, timely invoked this

Court's jurisdiction to review the Amended Final Order, rendered on March 9, 2007. The Final Order, which had been filed with the agency clerk on February 19, 2007, was not final and therefore did not start the time to file a notice of appeal. Cf. St. Moritz Hotel v. Daughtry, 249 So. 2d 27 (Fla. 1971); Maxfly Aviation Inc. v. Capital Airlines Ltd., 843 So. 2d 973 (Fla. 4th DCA 2003). Specifically, the Final Order did not consider, or make explicit rulings on, the exceptions to the recommended order that were filed by the appellant. See § 120.57(1)(k), Fla. Stat. (2006). An administrative order that does not bring the administrative adjudicative process to a close does not dispose of the case and is not final. See Hill v. Division of Retirement, 687 So. 2d 1376, 1377 (Fla. 1st DCA 1997).

ALLEN, WEBSTER, and BENTON, JJ., CONCUR.