

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

BESS BACON,  
  
Appellant,

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED.

v.

CASE NO. 1D09-2694

AGENCY FOR PERSONS WITH  
DISABILITIES,

Appellee.

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Opinion filed December 10, 2009.

An appeal from an order of the Agency for Persons with Disabilities.

Mary Bland Love and Michael D. Kendall of Gobelman, Love, Gavin, Wasilenko,  
& Broughan, L.L.C., Jacksonville, for Appellant.

John Beranek of Ausley & McMullen, Tallahassee; John Newton, General  
Counsel, Agency for Persons with Disabilities, and Karl David Acuff, Senior  
Attorney, Tallahassee, for Appellee.

PER CURIAM.

The order on appeal which denied appellant's request for a formal  
administrative hearing is quashed. The cause is remanded to the Agency for  
further proceedings consistent with Moreland v. Agency for Persons with  
Disabilities, 34 Fla. L. Weekly D1715 (Fla. 1st DCA Aug. 21, 2009) and the order  
of the United States District Court in Washington v. Debeaugrine, Case No. 4:09-  
cv-189-RH/WCS (N.D. Fla.).

KAHN, LEWIS, and WETHERELL, JJ., CONCUR.