

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

ROBERT PETITO,

Appellant,

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

v.

CASE NO. 1D11-5597

CONSTRUCTION INDUSTRY
LICENSING BOARD,

Appellee.

_____ /

Opinion filed August 17, 2012.

An appeal from the Construction Industry Licensing Board.
Mark Pietanza, Chair.

Rosemary H. Hayes, of Hayes Law, PL, Orlando, for Appellant.

Pamela Jo Bondi, Attorney General, and Daniel R. Biggins and Charlyne M.
“Khai” Patterson, Assistant Attorneys General, Tallahassee, for Appellee.

PER CURIAM.

We dismiss the appeal in this case for lack of standing. See Bodenstab v. Dep’t of Prof’l Regulation, 648 So. 2d 742, 743 (Fla. 1st DCA 1994). At oral argument, the Board’s counsel affirmed that the petitioner, Robert Petito, would not be subject to discipline for any matter that has been brought to the

Department's attention to date. This avowal ameliorates Petito's concern that the Board might use probation or other types of discipline as an impermissible condition on his license. It also buttresses our conclusion that Petito lacks standing: beyond receiving the relief he sought below (i.e., an unconditional transfer of his license) he has no basis for apprehension that the Board will attempt to improperly impose discipline upon him.

DISMISSED.

DAVIS, LEWIS, and MAKAR, JJ., CONCUR.