



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED

OCT - 1 2014

Docketed by AM

IN THE MATTER OF:

Case No: 161364-14-AG

JOSHUA VAZQUEZ/

NOTICE OF TEMPORARY SUSPENSION

COMES NOW the Chief Financial Officer, by and through his named designee, pursuant to section 648.45(1), Florida Statutes, and issues this Order temporarily suspending all licenses and appointments heretofore issued to Joshua Vazquez, under chapter 648, Florida Statutes, and as grounds therefore finds:

1. Joshua Vazquez is currently licensed in this state as a Limited Surety (Bail Bond) Agent pursuant to chapter 648, Florida Statutes.
2. At all times relevant to the dates and occurrences set forth herein, Joshua Vazquez, License I.D. # E123940, was licensed in this state as a Limited Surety (Bail Bond) Agent.
3. On or about September 18, 2014, Joshua Vazquez was charged in the Circuit Court of the Fifth Judicial Circuit in and for Lake County, Florida, with Solicitation of a Sale of a Controlled Substance to Wit: Oxycodone, Conspiracy to Purchase Controlled Substance to Wit: Oxycodone, and Unlawful Use of Two Way Communication Device, felonies.
4. Pursuant to section 648.45(1), Florida Statutes, the Department shall, upon receipt of an information or indictment, immediately temporarily suspend any license or appointment issued under chapter 648, Florida Statutes, when the licensee has been charged with a felony or a crime involving moral turpitude or a crime punishable by imprisonment of one (1) year or more under the law of any state, territory, or country. Such suspension shall continue if the licensee

has been found guilty of, or has pleaded guilty or no contest to, the crime, whether or not a judgment or conviction has been entered, during a pending appeal. A person may not effect any additional bail bonds after suspension of his license or appointment, however licensee may discharge any liability on bonds effected prior to suspension.

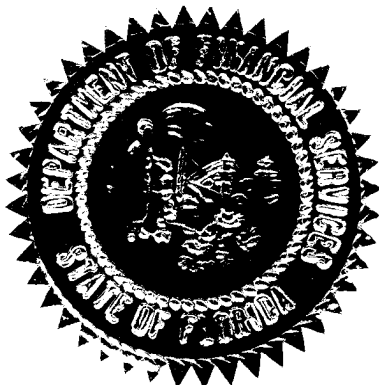
Notice is hereby given that the Department shall take prompt action to revoke the license of Joshua Vazquez in the event licensee pleads guilty, nolo contendere or is found guilty of this felony or any other lesser offense which is a felony, a crime involving moral turpitude or a crime punishable by imprisonment of one year or more under the law of any state, territory or country whether or not a judgment or conviction has been entered.

WHEREFORE, IT IS HEREBY ORDERED:

(a) That the Limited Surety (Bail Bond) Agent license held by Joshua Vazquez is hereby SUSPENDED. During the period of suspension Joshua Vazquez may not engage in any transaction or business for which a license or appointment is required by chapter 648, Florida Statutes.

(b) That Joshua Vazquez shall immediately cease and desist from writing, issuing, or soliciting any bail bonds in the State of Florida and he shall not effect any additional bail bonds. However, pursuant to section 648.45(1), Florida Statutes, Joshua Vazquez may discharge any liability on bonds effected prior to this suspension.

DATED and SIGNED this 1st day of October, 20 14.



[Redacted Signature]

Gregory Thomas
Director, Agent & Agency Services

NOTICE OF RIGHTS

Joshua Vazquez has the right to request a proceeding to contest this action by the Department of Financial Services (the "Department") pursuant to sections 120.569 and 120.57, Florida Statutes, and Rule 28-106, *Florida Administrative Code*. The proceeding request must be in writing, signed by Joshua Vazquez, and must be filed with the Department within twenty-one (21) days of Joshua Vazquez's receipt of this notice. Completion of the attached Election of Proceeding form and/or a petition for administrative hearing will suffice as a written request. The request must be filed with Julie Jones, DFS Agency Clerk, at the Florida Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0390. Joshua Vazquez's written response must be received by the Department no later than 5:00 p.m. on the twenty-first day after Joshua Vazquez receipt of this notice. Mailing the response on the twenty-first day will not preserve Joshua Vazquez's right to a hearing.

FAILURE TO ENSURE THAT YOUR WRITTEN RESPONSE IS RECEIVED BY THE DEPARTMENT WITHIN TWENTY-ONE (21) DAYS OF YOUR RECEIPT OF THIS NOTICE WILL CONSTITUTE A WAIVER OF YOUR RIGHT TO REQUEST A PROCEEDING ON THE MATTERS ALLEGED HEREIN AND A FINAL ORDER OF SUSPENSION OR REVOCATION WILL BE ENTERED AGAINST YOU.

If Joshua Vazquez request a proceeding, (Respondent's name) must provide information that complies with the requirements of Rule 28-106.2015, *Florida Administrative Code*. As noted above, completion of the attached Election of Proceeding form conforms to these requirements. Specifically, Joshua Vazquez's response must contain:

(a) The name, address, and telephone number, and facsimile number (if any) of the respondent (for the purpose of requesting a hearing in this matter, Joshua Vazquez is the "respondent").

(b) The name, address, telephone number, facsimile number of the attorney or qualified representative of the respondent (if any) upon whom service of pleadings and other papers shall be made.

(c) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the petition must so indicate.

(d) A statement of when the respondent received the notice of temporary suspension.

(e) A statement including the file number to the notice of temporary suspension.

If a hearing of any type is requested, Joshua Vazquez has the right to be represented by counsel or other qualified representative at Joshua Vazquez's expense, to present evidence and argument, to call and cross-examine witnesses, and to compel the attendance of witnesses and the production of documents by subpoena.

If a proceeding is requested and there is no dispute of material fact, the provisions of section 120.57(2), Florida Statutes, apply. In this regard, Joshua Vazquez may submit oral or written evidence in opposition to the action taken by the Department or a written statement challenging the grounds upon which the Department has relied. While a hearing is normally not required in the absence of a dispute of fact, if Joshua Vazquez feels that a hearing is necessary, one will be conducted in Tallahassee, Florida, or by telephonic conference call upon Joshua Vazquez's request.

However, if Joshua Vazquez disputes material facts which are the basis for the Department's action, Joshua Vazquez must request an adversarial proceeding pursuant to sections 120.569 and 120.57(1), Florida Statutes. These proceedings are held before a State Administrative Law Judge of the Division of Administrative Hearings. Unless the majority of

witnesses are located elsewhere, the Department will request that the hearing be conducted in Tallahassee, Florida.

Failure to follow the procedure outlined with regard to (Respondent's name)'s response to this notice may result in the request being denied. All prior oral communication or correspondence in this matter shall be considered freeform agency action, and no such oral communication or correspondence shall operate as a valid request for an administrative proceeding. Any request for an administrative proceeding received prior to the date of this notice shall be deemed abandoned unless timely renewed in compliance with the guidelines as set out above.

Mediation of this matter pursuant to section 120.573, Florida Statutes, is not available. No Department attorney will discuss this matter with Joshua Vazquez until the response has been received by the Department.


NOTICE OF RIGHT TO APPEAL

Any party to these proceedings adversely affected by this Order is entitled to seek review within thirty (30) days of the rendition of this Order, pursuant to section 120.68, Florida Statutes, and Rule 9.190, *Florida Rules of Appellate Procedure*. Review proceedings must be instituted by filing a petition or notice of appeal with Julie Jones, the DFS Agency Clerk. Filing with the Agency Clerk may be accomplished via U.S. Mail, express overnight delivery, hand delivery, facsimile transmission, or electronic mail. The address for overnight delivery or hand delivery is Julie Jones, DFS Agency Clerk, Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida, 32399-0390. The fax number is (850) 488-0697. The email address is Julie.Jones@myfloridacfo.com.

A copy of the petition or notice of appeal must also be filed with the appropriate district court of appeal within thirty (30) days of the rendition of this Order.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF TEMPORARY SUSPENSION has been furnished to: Joshua Vazquez, 1750 College Park Drive, Tavares, Florida 32778-5776, by Certified Mail this 1st day of October, 2014.



Laura Anstead
Managing Attorney
Department of Financial Services
Division of Legal Services
612 Larson Building
200 East Gaines Street
Tallahassee, Florida 32399-0333
(850) 413-4227

STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF LEGAL SERVICES

IN THE MATTER OF:

JOSHUA VAZQUEZ

CASE NO.:

ELECTION OF PROCEEDING

I have received and have read the Notice of Temporary Suspension filed by the Florida Department of Financial Services ("the Department") against me, including the Notice of Rights contained therein, and I understand my options. I am requesting disposition of this matter as indicated below. **(CHOOSE ONE)**

1. ☐ I do not dispute any of the Department's factual allegations and I do not desire a hearing. I understand that by waiving my right to a hearing, the Department may enter a final order that adopts the Notice of Temporary Suspension and imposes the sanctions sought, including suspending or revoking my licenses and appointments as may be appropriate.
2. ☐ I do not dispute any of the Department's factual allegations and I hereby elect a proceeding to be conducted in accordance with section 120.57(2), Florida Statutes. In this regard, I desire to **(CHOOSE ONE)**:
 - ☐ Submit a written statement and documentary evidence in lieu of a hearing; or
 - ☐ Personally attend a hearing conducted by a department hearing officer in Tallahassee; or
 - ☐ Attend that same hearing by way of a telephone conference call.
3. ☐ I do dispute one or more of the Department's factual allegations. I hereby request a hearing pursuant to section 120.57(1), Florida Statutes, to be held before the Division of Administrative Hearings. I have attached to this election form the information required by Rule 28-106.2015, Florida Administrative Code, as specified in subparagraph (c) of the Notice of Rights. Specifically, I have identified the disputed issues of material fact.

TO PRESERVE YOUR RIGHT TO A HEARING, YOU MUST FILE YOUR RESPONSE WITH THE DEPARTMENT OF FINANCIAL SERVICES WITHIN TWENTY-ONE (21) DAYS OF YOUR RECEIPT OF THE NOTICE OF TEMPORARY SUSPENSION. THE RESPONSE MUST BE RECEIVED BY THE DEPARTMENT NO LATER THAN 5:00 P.M. ON THE TWENTY-FIRST DAY AFTER YOUR RECEIPT OF THE NOTICE OF TEMPORARY SUSPENSION.

The address for filing is: Julie Jones, DFS Agency Clerk, Florida Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0390.

Signature _____

Print Name _____

Date: _____

Address: _____

Date Administrative
Complaint Received: _____

If you are represented by an attorney or qualified representative, please attach to this election form his or her name, address, telephone and fax numbers

Phone No.: _____

Fax No.: _____