

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

JOHN WINN, as Commissioner of
Education,

Appellant/Cross-Appellee,

v.

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

CASE NO. 1D04-4439

JOSEPH A. GATTI,

Appellee/Cross-Appellant.

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Opinion filed December 5, 2005.

An appeal from an order of the Division of Administrative Hearings

Cynthia S. Tunnicliff and J. Wiley Horton of Pennington, Moore, Wilkinson, Bell &
Dunbar, P.A., Tallahassee, for Appellant.

Mark F. Kelly, of Kelly & McKee, P.A., Tampa , for Appellee.

PER CURIAM.

AFFIRMED.

KAHN, C.J., WOLF, and PADOVANO, JJ., CONCUR.