

**IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA**

**STEVEN SPARKMAN, LUIS A.  
ORTIZ, JOHN KIDD, ARNOLD  
CAMPBELL, DANIEL CASEY,  
DANA DOKLEAN, and MICHAEL  
McKINNEY,**

**Petitioners,**

**v.**

**CITY OF HOLLYWOOD POLICE  
OFFICERS' RETIREMENT SYSTEM,  
Respondent.**

**APPEAL: CACE19-015953 (AW)**

**APPELLATE DIVISION**

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Dated: September 1, 2020.

Petition for Writ of Certiorari from the City of Hollywood Police Officers' Retirement System Board of Trustees.

William R. Scherer, Esq., CONRAD & SCHERER, LLP, Fort Lauderdale, FL, for Petitioners.

Robert D. Klausner, Esq., KLAUSNER, KAUFMAN, JENSEN & LEVINSON, P.A., Plantation, FL, for Respondent.

**FINAL ORDER GRANTING PETITION FOR WRIT OF CERTIORARI**

*PER CURIAM.*

**THIS CAUSE** came before this Court upon Petition for Writ of Certiorari, filed July 29, 2019. Having carefully considered the Petition, Response, and Reply, the record, and applicable law, this Court dispenses with oral argument and finds that:

When a petitioner for a writ of certiorari seeks review of the decision of an administrative agency, the reviewing court is limited to a three-part standard. See City of Deerfield Beach v. Vaillant, 419 So. 2d 624, 626 (Fla. 1982); Haines City Cmty. Dev. v. Heggs, 658 So. 2d 523, 530 (Fla. 1995). The court must review the record to determine whether: (1) procedural due process is accorded; (2) essential requirements of the law have been observed; and (3) administrative findings and judgment are supported by competent, substantial evidence. Id. If the Court determines that **any one of the three requirements was not met**, certiorari must be granted.

“Procedural due process requires both reasonable notice and a meaningful opportunity to be heard.” Fla. Dep’t of Highway Safety & Motor Vehicles v. Hernandez, 74 So. 3d 1070, 1079 (Fla. 2011) (citing N.C. v. Anderson, 882 So. 2d 990, 993 (Fla. 2004)). Due process is not obviated because a petitioner is unlikely to win or because the outcome will remain the same. For clarity, the Court is not addressing the merits of the Petition; rather, the Court finds that the Petitioners were not afforded procedural due process.

Accordingly, it is, **ORDERED AND ADJUDGED** that the Petition for Writ of Certiorari is hereby **GRANTED**.

BOWMAN, TOBIN SINGER, RODRIGUEZ, JJ., CONCUR.

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*Not final until disposition of timely filed motion for rehearing.*

**cc: William R. Scherer, Esq.  
Robert D. Klausner, Esq.**