

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

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STATE OF FLORIDA  
ELECTIONS COMMISSION

**In Re: Cary P. Sabol**

**Case No.: FEC 11-270  
F. O. No.: 12-011W**

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**CONSENT FINAL ORDER**

The Respondent, Cary P. Sabol, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties agree to the following facts, conclusions of law, and order:

**FINDINGS OF FACT**

1. On November 16, 2011, the Commission received a sworn complaint alleging that Respondent violated Florida election laws.
2. The information in the complaint indicated that Respondent may have committed a violation of Florida's election laws.
3. The Respondent has indicated a desire to enter into settlement negotiations prior to a probable cause determination in this case.
4. The Respondent and the staff stipulate to the following facts:
  - a. The Respondent was a candidate for the office of Mayor for the City of Lake Worth, Florida in the November 8, 2011 election. The Respondent never qualified and withdrew from the race in July 2011.
  - b. The Respondent accepted a \$500 contribution from East Coast Mobile Home Sales and a \$40 cash contribution from his father, Phil Sabol. However, East Coast Mobile Homes Sales is a fictitious name owned by Phillip Sabol. Therefore, the Respondent accepted an excessive contribution in the amount of \$40 from his father.

## **CONCLUSIONS OF LAW**

5. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

6. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

7. The Commission staff and the Respondent stipulate that staff can establish a prima facie case for a violation of Section 106.19(1)(a), Florida Statutes.

## **ORDER**

8. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

9. The Respondent shall bear his own attorney fees and costs that are in any way associated with this case.

10. The Commission will consider the Consent Order at its next available meeting.

11. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

12. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. The Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be responsible for all fees and costs associated with enforcement.

13. If the Commission does not receive the signed Consent Order within 7 days of the date Respondent or his attorney received this order, the staff withdraws this offer of settlement and will proceed with the case.

14. Payment of the civil penalty paid by a money order, cashier's check, or attorney

trust account check is a condition precedent to the Commission's consideration of the Consent Order.

**PENALTY**

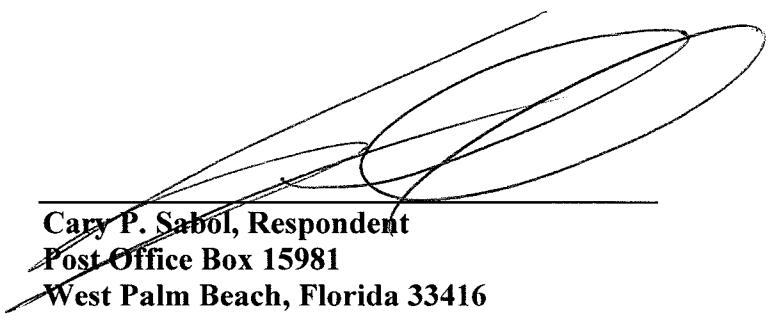
**WHEREFORE**, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent accepted an excessive contribution in the amount of \$40. The Respondent shall pay a civil penalty of \$200.

Therefore it is

**ORDERED** that the Respondent shall remit to the Commission a civil penalty in the amount of \$200, inclusive of fees and costs. The civil penalty shall be paid by a money order, cashier's check, or attorney trust account check, and made payable to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

The **Respondent** hereby agrees and consents to the terms of this Order on

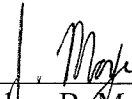
December 19, 2011.



**Cary P. Sabol, Respondent**  
**Post Office Box 15981**  
**West Palm Beach, Florida 33416**

The **Commission staff** hereby agrees and consents to the terms of this Consent Order on

January 3<sup>rd</sup>, 2012.

  
\_\_\_\_\_  
Joshua B. Moye  
Assistant General Counsel  
Florida Elections Commission  
107 W. Gaines Streets  
Collins Building, Suite 224  
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on

Feb 21,, 2012.

  
\_\_\_\_\_  
Tim Holladay, Chairman  
Florida Elections Commission

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\_\_\_\_\_  
Date

Copies furnished to:

Joshua B. Moye, Assistant General Counsel

Cary P. Sabol, Respondent

Serial Number	Year, Month, Day	Post Office	U.S. Dollars and Cents
19371931907	2011-12-19	334061	\$200.00
Amount		TWO HUNDRED DOLLARS & 00/100 *****	
Pay to	Florida Elections Commission		Clerk
Address	107 W. Gaines St., Collins Bldg. Suite 224, Tallahassee, FL 32399-1050	From	Cary Sabo / P.O. Box 15981 West Palm Beach, FL 33416
Memo	Case # FEC-11-270		

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