

FILED

12 AUG 31 AM 9:00

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Carlos Trujillo

Case No.: FEC 12-083

F.O. No.: FOFEC 12-077A

Report: 2012 Q1

FINAL ORDER

THIS CAUSE came on to be heard by the Florida Elections Commission at its regularly scheduled meeting held on August 14, 2012, in Tallahassee, Florida.

FINDINGS OF FACT

1. The Commission is charged with enforcing Chapter 106, Florida Statutes, the campaign financing law.
2. The Respondent's 2012 Q1 Report was not filed with the filing officer on April 10, 2012, the designated due date.
3. The filing officer fined the Respondent \$50.00 for the late filing of the report. The Respondent timely appealed claiming that he was unaware that his password was changed when he moved to a new district. Mr. Trujillo stated that he was not able to file his 2012 Q1 Report until April 11, 2012.
4. The filing officer stated that Respondent's password was not reset when he moved to a new district.

CONCLUSIONS OF LAW

5. The Commission has jurisdiction over the parties to and subject matter of this case, pursuant to Section 106.04, 106.07, or 106.29, Florida Statutes.
6. The Respondent's claim he was unaware that his password was changed when he moved to a new district does not constitute unusual circumstances and justify the Respondent's

failure to timely file the report.

ORDER

Based on the foregoing facts and conclusions of law, the Commission finds that the Respondent failed to file the report on the designated due date.

Therefore, it is

ORDERED and **ADJUDGED** that the assessed fine of \$50.00 is affirmed. The fine shall be paid to the Division of Elections, 500 South Bronough Street, Room 316, Tallahassee, Florida 32399 within 30 days of the date this Final Order is received by the Respondent.

DONE AND ORDERED by the Florida Elections Commission on

August 14, 2012.



Tim Holladay, Chairman
Florida Elections Commission

NOTICE OF RIGHT TO APPEAL

This order is final agency action. Any party who is adversely affected by this order has the right to seek judicial review pursuant to Section 120.68, Florida Statutes, by filing a notice of administrative appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Florida Elections Commission at 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, Florida 32399-1050, and by filing a copy of the notice of appeal with the appropriate district court of appeal. The party must attach to the notice of appeal a copy of this order and include with the notice of appeal filed with the district court of appeal the applicable filing fees. **The notice of administrative appeal must be filed within 30 days of the date of this order is filed with the Commission.** The date this order was filed appears in the upper right-hand corner of the first page of the order.

Copies furnished to:

Eric Lipman, Interim Executive Director
Carlos Trujillo (certified mail)
Kristi Reid Bronson, Filing Officer

Notice to Filing Officer

The Clerk of the Florida Elections Commission will send a copy of this order to Respondent by certified mail. The Final Order directs the Respondent to pay the Filing Officer. If the Filing Officer is not paid within 30 days of the date of service of the Final Order, the Filing Officer can file an enforcement action in circuit court to enforce the fine that is due and owing to the county or municipality. Please contact the Commission for proof that the Final Order has been served, which staff will retain in the case file. If the Commission Clerk cannot serve the Final Order by certified mail, it will notify the Filing Officer.