

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

FLORIDA ELECTIONS COMMISSION,  
PETITIONER,

v.

STEPHEN ADKINS,  
RESPONDENT.

AGENCY CASE No.: FEC 10-274  
F.O. No.: FO FEC : 12-061W

FILED  
12 MAY 15 PM 3:53  
FLORIDA  
ELECTIONS COMMISSION

CONSENT FINAL ORDER

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

**FINDINGS OF FACT**

1. On August 12, 2011, the staff of the Commission issued an Amended Staff Recommendation, recommending to the Commission that there was probable cause to believe that the Florida Election Code was violated.
2. On December 6, 2011, the Commission entered an Order of Probable Cause finding that there was probable cause to charge the Respondent with violating Sections 106.07(5), 106.09(1), and 106.19(1)(c), Florida Statutes.
3. The Respondent was properly served with a copy of the Order of Probable Cause.
4. On or about January 23, 2012, the Respondent requested a Formal Administrative Hearing before the Division of Administrative Hearings.
5. The Respondent and the staff stipulate to the following facts:
  - a. Respondent was the treasurer for JoAnne Faiella's 2010 campaign for Mayor of Port St. Lucie, Florida.

b. During Ms. Faiella's campaign, Respondent was required to file periodic reports of contributions received and expenditures made by Ms. Faiella's campaign.

c. Respondent certified that Ms. Faiella's 2010 F1, 2010 F2, and 2010 F3, were true correct and complete when they were not.

### **CONCLUSIONS OF LAW**

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

7. The Commission staff and the Respondent stipulate that staff could prove the facts contained in paragraph five above and violations of Section 106.07(5), 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 Respondent understands that before the Consent Order becomes final agency action, the Commission must approve it at a public meeting. 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 by April 20, 2012, the staff withdraws this offer of settlement and will proceed with the case.

14. Payment of the civil penalty by money order, cashier's check or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order.

15. Respondent shall remit to the Commission a fine in the amount of \$1500. The fine shall be paid to the Florida Elections Commission, 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida, 32399-1050, as a condition precedent to the Commission's execution of this Consent Order.

#### **PENALTY**

**WHEREFORE**, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.07(5) and imposes a civil penalty of \$1500 for the violations.

Therefore it is

**ORDERED** that the Respondent shall remit to the Commission a civil penalty in the amount of \$1500, inclusive of fees and costs. The civil penalty shall be paid by money order, cashier's check, or attorney trust account check and sent 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 \_

April 18, 2012.

St. Adkins  
Stephen Adkins  
723 Colorado Avenue  
Stuart, Florida 34994

The **Commission staff** hereby agrees and consents to the terms of this Consent Order on  
4.23.12, 2012.

Eric Lipman  
Eric Lipman  
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  
May 8, 2012, in Tallahassee, Florida.

Tim Holladay  
Tim Holladay, Chairman  
Florida Elections Commission

5.8.12  
Date

Copies furnished to:

Eric M. Lipman, General Counsel  
Stephen Adkins, Respondent



FLORIDA COMMUNITY BANK, N.A.

573679

63-1676/660

Remitter  
STEPHEN W ADKINS FEC 10-274

Date April 18, 2012

Pay to the Order of  
\*FLORIDA ELECTION COMMISSION\*

\$ 1,500.00

ONE THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS

dollars



# CASHIER'S CHECK

VOID AFTER 180 DAYS

*[Signature]*

MP

