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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Roger Scott, Jr.

Case No.: FEC 15-033

F.O. No.: FOFEC 15-136W

CONSENT FINAL ORDER

Respondent, Roger Scott, Jr., 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 January 8, 2015, the Commission received a referral from the Division of Elections alleging that Respondent violated Chapter 106, Florida Statutes.
2. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. Respondent and the staff stipulate to the following facts:
 - a. Respondent was a candidate Circuit Judge, 9th Judicial Circuit, Group 10, in the 2014 elections.
 - b. Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2013 Q3, 2013 M11, 2013 M12, and 2014 M5 reporting periods.
 - c. On October 29, 2014, Respondent filed a Waiver for the 2013 Q3 reporting period. On January 11, 2014, Respondent filed a Waiver for the 2013 M11 reporting period. On January 11, 2014, Respondent filed a Waiver for the 2013 M12 reporting period, and on June 13, 2014 Respondent filed a Waiver for the 2014 M5 reporting period.

CONCLUSIONS OF LAW

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

5. Respondent agrees that staff could prove the facts in paragraphs 3(a) through (3)(c) by clear and convincing evidence and to the Commission's ability to impose a civil penalty in this matter.

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.

ORDER

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

8. The parties shall each bear its own attorney's fees and costs that are in any way associated with this case.

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

10. 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.

11. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. 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.

12. If the Commission does not receive the signed Consent Order and payment of the

civil penalty by the close of business on May 22, 2015, the staff withdraws this offer of settlement and will proceed with the case.

13. Payment of the civil penalty by cashier's check, money order, and good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order.

PENALTY

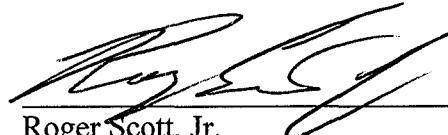
WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.07(7), Florida Statutes, and imposes a fine of \$400 for the violations

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$400 inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

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

April 30, 2015.



Roger Scott, Jr.
601 Balmoral Road
Winter Park, Florida 32789

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

May 19, 2015.



Eric M. Lipman
General Counsel
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held
on ~~August 18 and 19~~ ^{May 20}, 2015, in Tallahassee, Florida.

BS


Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Roger Scott, Respondent
Division of Elections, Complainant

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FL Elections Commission

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Roger Scott

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