

**FILED**

15 JUN 16 AM 2:34

STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**v.**

**Joe Wesley Norris,  
Respondent.**

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**Agency Case No.: FEC 14-004  
F.O. No.: FOFEC 15-119W**

**FINAL ORDER**

**THIS MATTER** was heard at an informal hearing held before the Florida Elections Commission (Commission) on May 20, 2015.

**APPEARANCES**

For Commission     Stephanie J. Cunningham  
Assistant General Counsel  
107 West Gaines Street  
Collins Building, Suite 224  
Tallahassee, FL 32399

For Respondent     No Appearance

**STATEMENT OF THE ISSUE**

Whether Respondent violated Section 106 143(1)(a), Florida Statutes, as alleged in the Order of Probable Cause.

**PRELIMINARY STATEMENT**

On January 6, 2014, the Commission received a sworn complaint alleging violations of

Florida's election laws. Staff of the Commission conducted an investigation to determine whether the facts alleged in the complaint constituted probable cause to believe that Respondent violated the Florida Election Code.

On January 2, 2015, staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. On February 25, 2015, the Commission entered an Order of Probable Cause finding that there was probable cause to charge Respondent with the following violation:

**Count 1:**

On or about January 6, 2014, Joe Wesley Norris violated Section 106.143(1)(a), Florida Statutes, when he paid for and displayed political advertisements that contained express advocacy but did not include proper disclaimers

Respondent did not timely elect to have a formal administrative hearing before an administrative law judge from the Division of Administrative Hearings and, therefore, the matter was set for an informal hearing before the Commission. At the informal hearing, the Commission adopted the undisputed facts set forth in the Staff's Recommendation as its findings of fact.

The Respondent did not appear at the hearing.

**FINDINGS OF FACT**

1. Respondent was a 2014 candidate for Bonita Springs City Council, District 5.
2. Respondent paid for and displayed political advertisements, i.e., yard signs.
3. The yard signs did not include proper disclaimers as they failed to identify the office for which Respondent sought election.

**CONCLUSIONS OF LAW**

4. The Commission has jurisdiction over the parties to and subject matter of this

cause, pursuant to Section 106 26, Florida Statutes.

5. Respondent's conduct was willful. Respondent committed the acts while knowing that, or showing reckless disregard for whether, the acts were prohibited, or failed to commit an act while knowing that, or showing reckless disregard for whether, the acts were required.

6. Respondent committed 1 count of violating Section 106.143(1)(a), Florida Statutes, when he paid for and displayed political advertisements that contained express advocacy but did not include proper disclaimers.

7. In determining the amount of the civil penalty, the Commission considered the mitigating and aggravating circumstances set forth in Section 106 265, Florida Statutes.

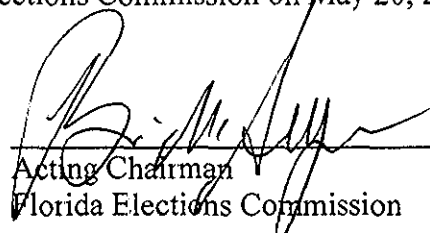
### ORDER

The Commission finds that Respondent has violated Section 106 143(1)(a), Florida Statutes, on 1 occasion, and imposes a \$250.00 fine.

Therefore it is

**ORDERED** that Respondent shall remit a civil penalty in the amount of \$250.00, inclusive of fees and costs. The civil penalty shall be paid to the Florida Elections Commission, Collins Building, Suite 224, 107 West Gaines Street, Tallahassee, Florida 32399, within 30 days of the date this Final Order is filed with the Commission and must be paid by money order, cashier's check or attorney trust account check.

**DONE AND ORDERED** by the Florida Elections Commission on May 20, 2015.

  
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Acting Chairman  
Florida Elections Commission

Copies furnished to:  
Stephanie J. Cunningham, Assistant General Counsel  
Joe Wesley Norris, Respondent  
Justin M. Burnham, Complainant

**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 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.