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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Roger Scott, Jr.

Case No.: FEC 14-323

F.O. No.: FOFEC 15-135W

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 August 5, 2014, a complaint was filed with the Commission alleging that Respondent violated Chapter 106, Florida Statutes.
2. Respondent 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 for Circuit Judge, 9th Circuit, Group 10, in the 2014 election cycle and he served as his own campaign treasurer.
 - b. Respondent's 2014 P2 Report was due on July 11, 2014; however, Respondent failed to timely notify the filing officer that he had no reportable activity and, therefore, would not be filing a report.
 - c. Respondent's 2014 P3 Report was due on July 25, 2014; however, Respondent failed to timely notify the filing officer that he had no reportable activity and, therefore, would not be filing a report.
 - d. Respondent's 2014 P4 Report was due on August 1, 2014; however, Respondent failed to timely notify the filing officer that he had no reportable activity and, therefore, would not be filing a report.

- e. Respondent's 2014 P5 Report was due on August 8, 2014; however, Respondent failed to timely notify the filing officer that he had no reportable activity and, therefore, would not be filing a report.
- f. Respondent's 2014 P6 Report was due on August 15, 2014; however, Respondent failed to timely notify the filing officer that he had no reportable activity and, therefore, would not be filing a report.
- g. Respondent's 2014 P7 Report was due on August 22, 2014; however, Respondent failed to timely notify the filing officer that he had no reportable activity and, therefore, would not be filing a report.
- h. Respondent falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when he failed to file reports on the prescribed reporting dates for his 2014 P2, 2014 P3, 2014 P4, 2014 P5, 2014 P6, and his 2014 P7 Reports.
- i. On November 19, 2014, Respondent filed his 2014 P2, 2014 P3, 2014 P4, 2014 P5, 2014 P6, and his 2014 P7 Reports after their respective due dates.

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. 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.

6. The Commission staff and Respondent stipulate that all elements of the offense(s) staff recommends charging in the Staff Recommendation can be proven by clear and convincing evidence.

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 their 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 by the close of business on March 31, 2014, 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 the following provisions of Chapter 106, Florida Statutes, and imposes the following fine:

A. Respondent has violated Section 106.07(7), Florida Statutes, on six occasions when he failed to timely notify the filing officer that he had no reportable activity and, therefore, would not be filing a report on the prescribed reporting date for his 2014 P2, 2014 P3, 2014 P4, 2014 P5, 2014 P6, and his 2014 P7 Reports. Respondent is fined \$300.00 for the violations.

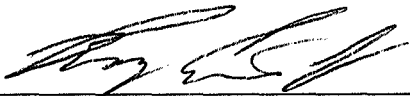
B. Respondent has violated Section 106.19(1)(c), Florida Statutes, for falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when he failed to file reports on the prescribed reporting dates for his 2014 P2, 2014 P3, 2014 P4, 2014 P5, 2014 P6, and his 2014 P7 Reports. Respondent is fined \$300.00 for the violations.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$600.00, 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

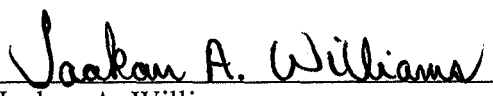
3/29/15, 2015.



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

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

April 8, 2015.



Jaakan A. Williams
Assistant 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 May 20 -21, 2015 in Tallahassee, Florida.


Chairman
Florida Elections Commission

Copies furnished to:
Jaakan A. Williams, Assistant General Counsel
Roger Scott, Jr., Respondent
Division of Elections, Complainant

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ORLANDO, FL 32803-5435

63-8413
2870 41704

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DATE 3/29/15

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