

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Sarah Pelican, Respondent
_____ /

**Case No.: FEC 11-298
F.O. No.: FOFEC 12-035A
Report: 2011 G4**

FILED
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FLORIDA ELECTIONS COMMISSION

FINAL ORDER

THIS CAUSE came on to be heard by the Florida Elections Commission at its regularly scheduled meeting held on February 21, 2012.

FINDINGS OF FACT

1. The Commission is charged with enforcing Chapter 106, Florida Statutes, the campaign financing law.
2. The Respondent's campaign treasurer's report was not filed with the filing officer on November 4, 2011, the designated due date.
3. The filing officer fined the Respondent \$500.00 for the late filing of the report. The Respondent timely appealed, claiming unusual circumstances. Respondent claimed that she was "medically unable" to file the report on the due date.

CONCLUSIONS OF LAW

4. 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.
5. The Respondent's claim of unusual circumstances, as defined in Rule 2B-1.0055, Florida Administrative Code, justifies Respondent's failure to timely file the report.

ORDER

Based on the foregoing facts and conclusions of law, the Commission finds that the Respondent's unusual circumstances justify Respondent's failure to file the report on the

designated due date. Therefore, it is

ORDERED that the assessed fine is waived in full.

DONE AND ORDERED by the Florida Elections Commission on February 23, 2012.



Tim Holladay, Chairman
Florida Elections Commission

Copies furnished to:

Joshua B. Moye, Assistant General Counsel
Sarah Pelican, Respondent
Fernandina Beach City Clerk, Filing Officer