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STATE OF FLORIDA ELECTIONS COMMISSION

## STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Deborah Centeno

Case No.: FEC 15-216 F.O. No.: FOFEC 15-153W

#### **CONSENT ORDER**

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

#### **FINDINGS OF FACT**

1. Respondent is a candidate for mayor of Sweetwater, Florida. The election is scheduled for May 12, 2015.

2. On February 10, 2015, the Commission received a sworn complaint alleging that Respondent violated the following section(s) of The Florida Election Code on one occasion:

Section 106.143(6), Florida Statutes: Deborah Centeno, 2015 candidate for Mayor of Sweetwater, paid for and distributed a political advertisement in which the word "for" was not included between her name and the office for which she is running, as alleged in the complaint. Respondent is not incumbent.

3. No other legally sufficient violation of Chapter 104 or 106, Florida Statutes, was alleged in the complaint.

4. Respondent against whom the complaint was filed has not been notified of an allegation of the same violation before the conduct about which the complaint was filed.

5. If the alleged violation occurred less than 14 days before the election in which the

Respondent is participating, the complainant did not allege that the political advertisement was either deceptive or influenced the outcome of the election.

6. Respondent used her name in the political advertisement.

### **CONCLUSIONS OF LAW**

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

8. The Commission considers the allegation contained in the complaint a minor violation, pursuant to Rule 2B-1.003, Florida Administrative Code.

9. Respondent neither admits nor denies that she violated Section 106.143(6), Florida Statutes, on one occasion.

#### ORDER

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

11. Respondent shall bear her own attorney fees and costs that are in anyway associated with this case.

12. Respondent understands that before the Consent Order is final agency action, it must be approved by the Commission. The Commission will consider the Consent Order at its next available meeting.

13. Respondent voluntarily waives the right to any further proceedings under Chapters 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

14. Respondent will carefully review Chapter 106, Florida Statutes, and avoid any future violation of the chapter.

15. Respondent agrees to correct immediately, if feasible, the violations alleged in

the complaint.

16. If the Commission does not receive the signed Consent Order and payment by the close of business on April 30, 2015, the staff withdraws this offer of settlement and will proceed with an investigation of the allegations in the complaint.

17. Respondent shall remit to the Commission a civil penalty in the amount of \$100. The civil penalty shall be paid by money order, cashier's check, or attorney trust account check and be valid for 120 days from the date of its issuance. The civil penalty shall be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050, as a condition precedent to the Commission's execution of this Consent Order.

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

We LUTH , 2015.

Deborah Centeno 11591 NW 2 Street, #206 Sweetwater, FL 33172

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

May 20 , 2015.

Amy McKeever Toman, Executive Director 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 on

May 20-21, 2015.

Chairman A65 Florida Elections Commission

Copies furnished to: Amy McKeever Toman, Executive Director Deborah Centeno, Respondent Orlando Lopez, Complainant

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