

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

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STATE OF FLORIDA
ELECTIONS COMMISSION

Florida Elections Commission,
Petitioner,

v.

Agency Case No.: FEC 10-323
F.O. No.: FOFEC 11-133W

Walter D. Wright,
Respondent.

_____ /

CONSENT FINAL ORDER

The Respondent, Walter D. Wright, 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 March 1, 2011, the staff of the Commission issued a Staff Recommendation, recommending to the Commission that there was probable cause to believe that The Florida Election Code was violated.

2. On May 18, 2011, the Commission entered an Order of Probable Cause finding that there was probable cause to charge the Respondent with the following violations:

Count 1:

In August 2010, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$1,010.47 for a payment he made to Promote You, L.L.C. and failed to report it on his 2010 F3 campaign report.

Count 2:

On or about August 27, 2010, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution

required to be reported by Chapter 106, Florida Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$140.76 for a payment he made to Patty's Printing and failed to report it on his 2010 G1 campaign report.

Count 3:

On or about September 7, 2010, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$20.33 for a payment he made to Promote You, L.L.C. and failed to report it on his 2010 G1 campaign report.

Count 4:

On or about September 15, 2010, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$140.76 for a payment he made to Patty's Printing and failed to report it on his 2010 G2 campaign report.

Count 5:

On or about September 24, 2010, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$1,689.48 for a payment he made to Promote You, L.L.C. and failed to report it on his 2010 G2 campaign report.

Count 6:

In August 2010, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$1,010.47 for a payment he made to Promote You, L.L.C. and failed to report it on his 2010 F3 campaign report.

Count 7:

On or about August 27, 2010, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida

Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$140.76 for a payment he made to Patty's Printing and failed to report it on his 2010 G1 campaign report.

Count 8:

On or about January 7, 2010, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$20.33 for a payment he made to Promote You, L.L.C. and failed to report it on his 2010 G1 campaign report.

Count 9:

On or about September 15, 2010, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$140.76 for a payment he made to Patty's Printing and failed to report it on his 2010 G2 campaign report.

Count 10:

On or about September 24, 2010, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when Respondent accepted an in-kind contribution from himself in the amount of \$1,689.48 for a payment he made to Promote You, L.L.C. and failed to report it on his 2010 G2 campaign report.

3. On June 1, 2011, the Respondent was served with a copy of the Order of Probable Cause.

4. The Respondent and the staff stipulate to the following facts:

- a. The Respondent was a candidate for the Indian River Soil and Water Conservation District, Seat 3, in the November 2, 2010 general election.
- b. The Respondent accepted three in-kind contributions from himself in the amount of \$2,720.28 for payments he made to Promote You, LLC., and

failed to timely report them on his campaign treasurer's reports.

- c. The Respondent accepted two in-kind contributions from himself in the amount of \$281.52 for payments he made to Patty's Printing, and failed to timely report them on his campaign treasurer's reports.

CONCLUSIONS OF LAW

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

6. The Commission staff and the Respondent stipulate that the facts set forth in the Staff Recommendations constitute a reckless disregard of Sections 106.19(1)(b), and 106.19(1)(c), Florida Statutes.

ORDER

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

8. The Respondent shall bear her own attorney fees and costs that are in any way associated with this case.

9. The Respondent understands that before the Consent Order becomes final agency action, the Commission must approve it at a public meeting. 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. The 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 within 7 days of the date Respondent received this order, the staff withdraws this offer of settlement and will proceed with the case.

13. Payment of the civil penalty by cashier's check or money order is a condition precedent to the Commission's consideration of the Consent Order.

PENALTY

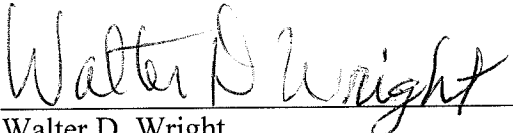
WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Sections 106.19(1)(b), and 106.19(1)(c), Florida Statutes. Respondent is fined \$3,001.80 for the violations.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$3,001.80, inclusive of fees and costs. The civil penalty shall be paid by money order or cashier's check, and made payable to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

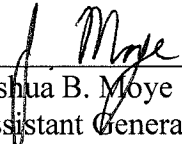
The **Respondent** hereby agrees and consents to the terms of this Order on

JULY 29, _____, 2011.



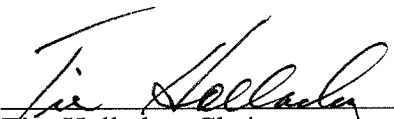
Walter D. Wright
1405 82nd Avenue, #71
Vero Beach, Florida 32966

The **Commission staff** hereby agrees and consents to the terms of this Consent Order on August 2nd, 2011.



Joshua B. Moye
Assistant General Counsel
Florida Elections Commission
107 W. Gaines Streets
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on August 9th in Tallahassee, Florida.



Tim Holladay, Chairman
Florida Elections Commission
August 18, 2011

Date

Copies furnished to:
Joshua B. Moye, Assistant General Counsel
Walter D. Wright, Respondent