

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

FILED
11 MAY 24 PM 1:16
STATE OF FLORIDA
ELECTIONS COMMISSION

In Re: **Ronald Saunders**

Case No.: **FEC 10-033**

F.O. No.: **11-065W**

CONSENT FINAL ORDER

The Respondent, Ronald Saunders, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties agree to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On March 2, 2010, a complaint was filed with the Commission alleging that the Respondent violated Florida elections laws.
2. The Respondent has expressed a desire to enter into negotiations to resolve the issues in this case prior to a determination of probable cause.
3. The Respondent and the staff jointly stipulate to the following facts:
 - A. The Respondent was a candidate for re-election to the Florida House of Representatives, District 120, in the 2008 elections.
 - B. The Respondent became unopposed on September 22, 2008.¹
 - C. After the Respondent became unopposed, he expended campaign funds for a purpose other than those listed in Section in 106.11(5)(a)-(d), Florida Statutes.

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

¹ The Division of Elections notified the Respondent that he was an unopposed candidate by a letter dated September 25, 2008.

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 the Respondent stipulate that staff could prove all the elements of a violation of Section 106.11(5), Florida Statutes, 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 Respondent shall bear his own attorney 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. The Respondent and the staff of the Commission agree that this Consent Order and the terms contained herein shall not constitute an admission against interest or acknowledgement of guilt as to any criminal charge that might arise from the allegations that form the basis of the complaint filed against Respondent on March 2, 2010, and this Consent Order.

12. 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.

13. If the Commission does not receive the signed Consent Order within seven (7)

days of the date Respondent or his attorney received this order, the staff withdraws this offer of settlement and will proceed with the case.

14. Payment of the civil penalty by a money order, cashier's check or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order.

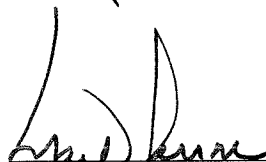
PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.11(5), Florida Statutes. The Commission imposes a civil penalty of \$500 for the violation.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$500, inclusive of fees and costs. The civil penalty shall be paid with a money order, cashier's check or attorney trust account 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 16 March, 2011.

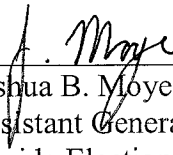


Mark Herron, Esquire
Florida Bar Number 199737
Messer Caparella & Self, P.A.
P.O. Box 15579
Tallahassee, Florida 32317



Ronald Sanders, Respondent
1207 11th Street
Key West, Florida 33040

The **Commission staff** hereby agrees and consents to the terms of this Consent Order on
March 21st, 2011.



Joshua B. Moyer
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 May 10 & 11, 2011, in Tallahassee, Florida.



Jose Luis Rodriguez
Vice-Chair/Acting Chair
Florida Elections Commission

Copies furnished to:

Joshua B. Moyer, Assistant General Counsel
Mark Herron, Attorney for Respondent