

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

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STATE OF FLORIDA
ELECTIONS COMMISSION

FLORIDA ELECTIONS COMMISSION,

Petitioner,

vs.

FEC Case No. 03-160
DOAH CASE No. 04-006
DCA CASE NO. 2D05-1750
F.O. No.: DOSFEC 06-220

JAMES JENNINGS,

Respondent.

FINAL ORDER ON REMAND

THIS CAUSE came before the Florida Elections Commission (Commission) on August 18, 2006, for the purpose of vacating the Final Order filed in this matter on March 7, 2005, and entering a new order consistent with the decision of the Second District Court of Appeal and its mandate issued on July 17, 2006.

Pursuant to the Second District Court of Appeal's opinion and mandate in the matter of *James Jennings v. Florida Elections Commission*, Case No. 2D05-1750, June 30, 2006, the Commission hereby vacates the Final Order filed in this matter on March 7, 2005, accepts all the factual and legal findings set forth in the ALJ's Recommended Order entered on September 24, 2004, dismisses counts 27 through 56 set forth in the Order of Probable Cause, and finds Respondent guilty of violating counts 1 through 26 set forth in the Order of Probable Cause.

WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that in the matter of *Florida Elections Commission v. James Jennings*, FEC

Case No. 03-160, the Commission hereby imposes a fine of \$200.00 for each of counts 3 through 26, \$1,000.00 for count 1, and \$500.00 for count 2 for a total fine of \$6,300.00. Counts 27 through 56 are hereby **DISMISSED**.

This Final Order shall take effect upon filing with the Clerk for the Florida Election Commission. The total fine of \$6,300 shall be due and owing within 30 days of entry of this order.

DONE AND ENTERED this 15th day of November 2006 in Tallahassee, Florida.

Chance Irvine

Chance Irvine, Chair
Florida Elections Commission

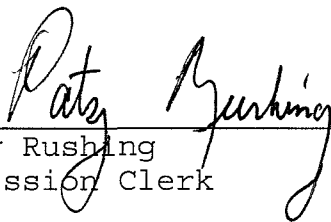
NOTICE OF RIGHT TO APPEAL

Pursuant to Section 120.68, Florida Statutes, the parties may appeal the Commission's Final Order to the appropriate district court of appeal by filing a notice of appeal both with the Clerk of the Florida Elections Commission and the Clerk of the district court of appeal. The notice must be filed within 30 days of the date this Final Order was filed and must be accompanied by the appropriate filing fee.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail to: Counsel for Respondent, Mark Herron, Esquire, MESSER, CAPARELLO & SELF, P.A., 2618 Centennial Place, Tallahassee, Florida 32308; and Eric Lipman, Assistant General

Counsel, 107 W. Gaines Street, Collins Building, Suite 224,
Tallahassee, Florida 32399-0250 this 1 day of December,
2006.



Patsy Rushing
Commission Clerk

Copies furnished to:

James Jennings, Respondent (certified mail)
Theresa Marie Gargano, Complainant
Pamela B. Smith, Sanibel City Clerk, Filing Officer