

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

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STATE OF FLORIDA
ELECTIONS COMMISSION

In Re: James Davis
_____ /

Case No.: FEC 06-319
F.O. No.: DOSFEC 06-170
REPORT DUE DATE: 8/18/06

FINAL ORDER

THIS CAUSE came on to be heard by the Florida Elections Commission at its regularly scheduled meeting held on November 14 and 15, 2006, in Tallahassee, Florida.

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 the designated due date.
3. The filing officer fined the Respondent \$92.50 for the late filing of the report. The Respondent timely appealed, claiming unusual circumstances.

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, does not justify the Respondent's failure to timely file the report.

ORDER

Based on the foregoing facts and conclusions of law, the Commission finds that the Respondent failed to file the report on the designated due date. Therefore, it is

ORDERED that the assessed fine of \$92.50 is affirmed. The fine shall be paid to the Florida Elections Commission, at the address listed below, within 30 days of the date this Final Order is received by the Respondent.

DONE AND ENTERED by the Florida Elections Commission and filed with the Clerk of the Commission on December 1, 2006, in Tallahassee, Florida.

A handwritten signature in cursive script that reads "Chance Irvine". The signature is written in dark ink and is positioned above a horizontal line.

Chance Irvine, Chairman
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

NOTICE OF RIGHT TO APPEAL

Pursuant to Section 120.68, Florida Statutes, the Respondent 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.

Copies furnished to:

Barbara M. Linthicum, Executive Director
James Davis, Respondent (certified mail)
Division of Elections, Filing Officer