

**FILED**

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STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Daniel Diaz**

**Case No.: FEC 14-504**

**F.O. No.: FOEC 15-004 A**

**Report: 2014 P7**

**DEFAULT FINAL ORDER**

**THIS MATTER** was referred to the Florida Elections Commission (Commission) by the filing officer for failure of the Respondent to pay the assessed fine

**FINDINGS OF FACT**

1. The Commission is charged with enforcing Chapter 106, Florida Statutes, the campaign financing laws.

2. Respondent was a local candidate for the office of Community Council during the 2014 elections. Respondent's 2014 P7 campaign treasurer's report was not filed with the filing officer on August 22, 2014, the designated due date.

3. On October 3, 2014, the filing officer sent a second and final fine notice to the Respondent by delivery confirmation advising him that the amount of the fine was \$312.50. The notice also advised Respondent, as required by Section 106.07(8)(b), Florida Statutes, that he must either pay the fine or appeal to the Florida Elections Commission within 20 days after receipt of the notice of payment due.

4. Respondent has failed to pay the assessed fine or to appeal to the Commission.

**CONCLUSIONS OF LAW**

5. The Commission has jurisdiction over the parties to and subject matter of this case, pursuant to Section 106.07, Florida Statutes

6. Respondent's failure to timely file a notice appealing the assessed fine constitutes a waiver of entitlement to an appeal.

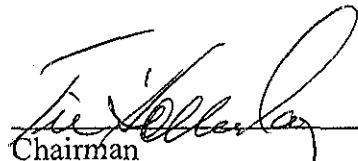
**ORDER**

Based on the foregoing facts and conclusions of law, it is hereby

**ORDERED** that the assessed fine of \$312 50 is affirmed. The fine shall be paid to the Miami Dade Supervisor of Elections office at 2700 NW 87<sup>th</sup> Avenue, Doral, FL 33172 within 30 days of the date this Final Order is filed with the Commission.

**DONE AND ORDERED** by the Florida Elections Commission on

March 20, 2015.

  
Chairman  
Florida Elections Commission

Copies furnished to:  
Stephanie Cunningham, Assistant General Counsel  
Daniel Diaz, Respondent  
Miami Dade Supervisor of Elections, Filing Officer/Complainant

## NOTICE OF RIGHT TO APPEAL

This order is final agency action. Any party who is adversely affected by this order has the right to seek judicial review pursuant to Section 120.68, Florida Statutes, by filing a notice of administrative appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Florida Elections Commission at 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, Florida 32399-1050, and by filing a copy of the notice of appeal with the appropriate district court of appeal. The party must attach to the notice of appeal a copy of this order and include with the notice of appeal filed with the district court of appeal the applicable filing fees. **The notice of administrative appeal must be filed within 30 days of the date of this order is filed with the Commission.** The date this order was filed appears in the upper right-hand corner of the first page of the order.

### Notice to Filing Officer

The Clerk of the Florida Elections Commission will send a copy of this order to Respondent. The Final Order directs the Respondent to pay the Filing Officer. If the Filing Officer is not paid within 30 days of the date the Final Order is filed with the Commission, the Filing Officer can file an enforcement action in circuit court to enforce the fine that is due and owing to the county or municipality. The date this order was filed appears in the upper right-hand corner of the first page of this order.