



**FLORIDA ELECTIONS COMMISSION**

107 W. Gaines Street  
Collins Building, Suite 224  
Tallahassee, Florida 32399-1050  
(850) 922-4539

FILED  
06 JUN 27 AM 8:38  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

June 26, 2006

Keith C. Tischler, Esquire  
Jolly & Peterson, P.A.  
P.O. Box 37400  
Tallahassee, FL 32315

**RE: Case No.: FEC 03-242**

Dear Mr. Tischler:

The Florida Elections Commission at its last regularly scheduled meeting considered the above referenced case and issued the final order that is enclosed.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Barbara M. Linthicum".

Barbara M. Linthicum  
Executive Director

Enclosure: Final Order

cc: John J. Fugate, Respondent w/out enclosure  
David Scheid, Complainant  
Desoto County Supervisor of Elections, Filing Officer  
DOAH

FILED

05 JUN 26 AM 11:17

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION  
STATE OF FLORIDA  
ELECTIONS COMMISSION

FLORIDA ELECTIONS COMMISSION,  
Petitioner,

vs.

Agency Case No.: FEC 03-206  
DOAH Case No.: 04-1178  
F.O. No.: DOSFEC 05-142

JOHN J. FUGATE,  
Respondent.

FILED  
JUN 27 AM 8:38  
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HEARINGS

FINAL ORDER AFTER REMAND

THIS CAUSE came before the Florida Elections Commission (Commission), for the purpose of vacating the Final Order filed in this matter on June 3, 2005.

Pursuant to the decision of the First District Court of Appeal filed on February 23, 2006, and its Mandate issued on April 13, 2006, the Commission hereby vacates the Final Order filed in this matter on June 3, 2005, accepts all the factual and legal findings set forth in the ALJ's Recommended Order entered on December 22, 2004, and dismisses all charges against the Respondent set forth in the Order of Probable Cause.

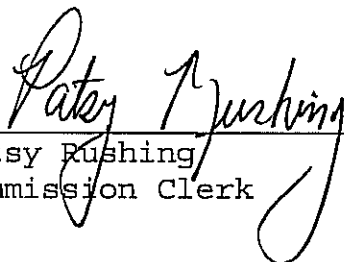
DONE AND ENTERED by the Florida Elections Commission and filed with the Clerk of the Commission on this 26th day of June, 2006, in Tallahassee, Florida.

*Chance Irving*

Chance Irving, Chair  
Florida Elections Commission

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail to: Respondent, John J. Fugate, P.O. Box 2160, Arcadia, FL 33821-2160; counsel for Respondent, Keith C. Tischler, Esquire, Jolly & Peterson, P.A., P.O. Box 37400, Tallahassee, FL 32315; and Eric Lipman, Assistant General Counsel, 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-0250 this 26th day of June 2006.

  
\_\_\_\_\_  
Patsy Rushing  
Commission Clerk