

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

FLORIDA ELECTIONS COMMISSION,)
)
Petitioner,)
)
vs.) Case No. 10-2331
)
JOHN MANDUJANO,)
)
Respondent.)
_____)

SUMMARY FINAL ORDER

This matter was filed at the Division of Administrative Hearings on April 27, 2010, by Petitioner. Pursuant to Subsection 120.25(5), Florida Statutes (2009), the matter was assigned to the undersigned Administrative Law Judge. On May 3, 2010, Petitioner served its First Request for Admissions and First Interrogatories on Respondent. Responses to the discovery requests were due on or before June 7, 2010.

On June 10, 2010, Petitioner filed a Motion for Summary Final Order setting forth the following facts which are deemed admitted by Respondent:

1. On or about July 3, 2007, Respondent filed a State of Florida Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form with the Clerk's Office of the City of Largo, designating himself as the treasurer for his upcoming political campaign.
2. On or about July 6, 2007, Respondent filed a Statement of Candidate form, indicating that he had read and understands the requirements of Chapter 106, Florida Statutes.
3. On or about July 2, 2007, Respondent received a candidate packet from the City of Largo which included an Election Calendar and a Campaign Treasurer Reporting Periods and Due Dates form.
4. On or about August 11, 2007, Respondent attended a candidate training class.

5. Respondent received a letter from Diane L. Bruner, clerk of the City of Largo, dated January 9, 2008, reminding Respondent that his campaign termination report was due no later than February 4, 2008.

6. Respondent received a letter dated February 11, 2008, from Ms. Bruner reminding him that his campaign termination report had not been timely filed.

7. As of this date, Respondent has willfully failed to file his campaign termination report as required by law.

Based upon the foregoing, it is

ORDERED that Respondent is in violation of Subsection 106.141(1), Florida Statutes (2009), in that he has failed to file a campaign termination report listing the disposition of surplus campaign funds as required by law. Respondent shall pay a civil penalty in the amount of One Thousand Dollars (\$1,000.00) to the Florida Elections Commission within 30 days of the date of this Order.

DONE AND ENTERED this 2nd day of July, 2010, in Tallahassee, Leon County, Florida.



R. BRUCE MCKIBBEN
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 2nd day of July, 2010.

COPIES FURNISHED:

Eric Lipman, Acting Executive Director
Florida Elections Commission
The Collins Building, Suite 224
107 West Gaines Street
Tallahassee, Florida 32399-1050

Joshua B. Moye, Esquire
Florida Elections Commission
The Collins Building, Suite 224
107 West Gaines Street
Tallahassee, Florida 32399-1050

Patricia Rushing, Clerk
Florida Elections Commission
The Collins Building, Suite 224
107 West Gaines Street
Tallahassee, Florida 32399-1050

John Mandujano
488 Hillcrest Drive
Largo, Florida 33771

NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this Final Order is entitled to judicial review pursuant to Section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Notice of Administrative Appeal with the agency clerk of the Division of Administrative Hearings and a second copy, accompanied by filing fees prescribed by law, with the District Court of Appeal, First District, or with the District Court of Appeal in the appellate district where the party resides. The Notice of Administrative Appeal must be filed within 30 days of rendition of the order to be reviewed.