

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

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STATE OF FLORIDA  
ELECTIONS COMMISSION

**In Re:** Patrick Bergy  
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Case No.: FEC 05-182  
F.O. No.: DOSFEC 05-158 A  
Report Due Date: 1/31/05

**DEFAULT FINAL ORDER**

**THIS CAUSE** was referred to the Florida Elections 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. The Respondent was a local candidate for the office of Pasco County Supervisor of Elections in the 2004 elections. The Respondent's campaign treasurer's report was not filed with the filing officer on the designated due date.

3. On April 18, 2005, the filing officer sent a notice to the Respondent by certified mail advising him that the amount of the fine was \$202.50. 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. Someone of the Respondent's behalf claimed the notice sent by certified mail on April 19, 2005.

4. The 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 106.04, 106.07, or 106.29, Florida Statutes.

6. The Respondent's failure to timely file a notice appealing the assessed fine constitutes a waiver of entitlement to an appeal, pursuant to Rule 2B-1.005(2), Florida Administrative Code.

**ORDER**

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

**ORDERED** that the assessed fine of \$202.50 is affirmed. The fine shall be paid to the filing officer within 30 days of the date this Default Final Order is received by the Respondent.

**DONE AND ENTERED** by the Florida Elections Commission and filed with the Clerk of the Commission on June 9, 2005, in Tallahassee, Florida.



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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  
Patrick Bergy, Respondent (certified mail)  
Pasco County Supervisor of Elections, Filing Officer