



**FLORIDA ELECTIONS COMMISSION**

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

April 8, 2011

**CERTIFIED MAIL 7005 1160 0000 9365 4304**

Kevin Burns  
Post Office Box 610817  
North Miami, Florida 33261

**RE: Case No.: FEC 11-077**

Dear Mr. Burns:

Pursuant to Rule 2B-1.005(2), Florida Administrative Code, the Florida Elections Commission has entered the enclosed Default Final Order against you.

Please read the Final Order carefully. The order indicates the amount of the fine and the number of days you have to pay the fine. **Please pay the fine to your filing officer, who is:**

Department of State, Division of Elections  
Room 316, R.A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399

If you fail to pay the fine to the filing officer, an enforcement action may be filed against you in the circuit court. If it is necessary to take further legal action to collect the fine, the law provides that you pay for the cost of collection, including attorney fees.

If you have any questions, please contact Wendi Brown at extension 103.

Sincerely,

A handwritten signature in cursive script that reads "Rosanna Catalano".

Rosanna Catalano  
Executive Director

Enclosure: Final Order (certified mail)

cc: Department of State, Division of Elections, Filing Officer

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

FILED  
11 APR -8 PM 1:10

**In Re: KEVIN BURNS, Respondent**

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**Case No.: FEC 11-077**  
**F.O. No.: FOFEC 11-054A**  
**Report: 2010 F2**

**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 is a state candidate. The Respondent's campaign treasurer's report was not filed with the filing officer on August 6, 2010, the designated due date.
3. On August 9, 2010 and again on September 9, 2010, the filing officer sent a notice to the Respondent by U.S. mail advising him that the amount of the fine was \$50. These two notices also advised Respondent, as required by Section 106.04(8)(b), 106.07(8)(b), 106.29(3)(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. 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.

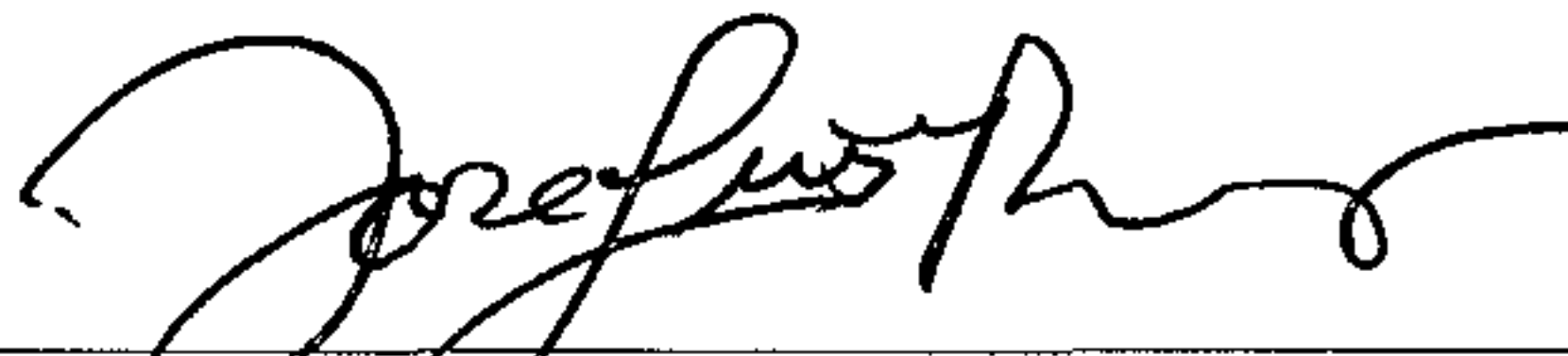
6. The Respondent's failure to timely file a notice appealing the assessed fine constitutes a waiver of entitlement to an appeal, pursuant to Rule 2B-1.005(2), Florida Administrative Code.

### ORDER

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

**ORDERED** that the assessed fine of \$50 is affirmed. The fine shall be paid to the Division of Elections within 30 days of the date this Default Final Order is received by the Respondent.

**DONE AND ORDERED** by the Florida Elections Commission this 31<sup>ST</sup> day of MARCH, 2011, in Tallahassee, Florida.



Jose Luis Rodriguez  
Vice-Chair / Acting Chair  
Florida Elections Commission

### 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.

Copies furnished to:

Rosanna Catalano, Executive Director  
Kevin Burns, Respondent (certified mail)  
Department of State, Division of Elections, Filing Officer

**NOTICE TO FILING OFFICER**

The Clerk of the Florida Elections Commission will send a copy of this order to Respondent by certified mail. The Final Order directs the Respondent to pay the Filing Officer. If the Filing Officer is not paid within 30 days of the date of service of the Final Order, 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. Please contact the Commission for proof that the Final Order has been served, which staff will retain in the case file. If the Commission Clerk cannot serve the Final Order by certified mail, the Clerk will notify the filing officer.