

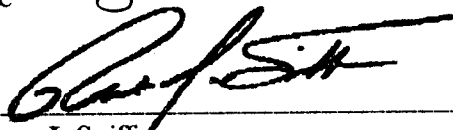


business; and finds that there is no probable cause to believe the Respondent violated Section 112.313(6) by possessing and/or using a City police radio for private business; as alleged in the complaint. Accordingly, the allegations referenced in this paragraph are dismissed and will not be at issue at any hearing held in this matter.

Therefore, the Commission orders a public hearing as to whether the Respondent violated Sections 112.313(6), 112.313(3), and 112.313(7)(a), Florida Statutes, as set forth above. A formal notice of hearing of the matters on which probable cause has been found will be prepared and sent to the Respondent and to the Advocate. Under Commission Rule 34-5.020, F.A.C., the Commission may resolve a complaint proceeding through a stipulation, settlement, or consent order entered into by the Respondent and the Commission's Advocate and approved by the Commission. If the Respondent wishes to pursue a settlement of this case, he should contact the Commission's Advocate at (850) 414-3300 to discuss the terms of a possible settlement.

ORDERED by the State of Florida Commission on Ethics meeting in executive session on July 29, 2011.

August 3, 2011  
Date

  
Robert J. Sniffen  
Chair

cc: Mr. James E. Flynt, Respondent  
Ms. Melody A. Hadley, Commission Advocate  
Mr. Elbert Tucker, Complainant