



Having carefully reviewed the evidence presented, the Commission finds as fact:

1. The Respondent, Michael Letts, was a candidate for Richland County Council in a November 6, 2012 election.
2. Commission Investigator Jimmy Bagnall testified that a review of Respondent's Campaign Disclosure form (CD) on March 27, 2013, revealed that Respondent's January 10, 2013 CD was not filed until March 9, 2013. Respondent advised Investigator Bagnall that when he was made aware of the complaint, he contacted his campaign manager, Mr. R. J. Shealy. Respondent said that he was informed by Mr. Shealy, that after contacting Ethics Commission staff, he was advised that the CD was saved on the system, but not filed. Staff confirmed that Mr. Shealy did contact the Ethics Commission. Investigator Bagnall spoke to Mr. Shealy who advised him that he made an error when filing Respondent's January 10, 2013 CD because while on line, he mistakenly selected the save option, rather than the file option. Mr. Shealy said that he corrected the mistake as soon as he was made aware of the complaint.

#### **CONCLUSIONS OF LAW**

Based upon the Findings of Fact, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, Michael Letts, was a candidate as defined by Section 8-13-1300(4).
2. The State Ethics Commission has personal and subject matter jurisdiction
3. Section 8-13-1308(B) provides:

Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after an election until the campaign account undergoes final disbursement pursuant to the provisions

of Section 8-13-1370.

4. Section 8-13-1510(1) provides as follows:

Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required statement or report must be assessed a civil penalty as follows:

- (1) a fine of one hundred dollars if not filed within five days after the established deadline provided by law in this chapter;

5. Section 8-13-130 states in part:

The State Ethics Commission may levy an enforcement or administrative fee on a person who is found in violation, or who admits to a violation, of the "Ethics, Government Accountability and Campaign Reform Act of 1991". The fee must be used to reimburse the commission for costs associated with the investigation and hearing of a violation.

**DECISION**

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the State Ethics Commission has determined based upon a preponderance of evidence that Respondent Michael Letts is in violation of Section 8-13-1308; and therefore, Respondent Michael Letts is hereby Publicly Reprimanded and he is hereby assessed a late-filing penalty of \$100.00 to be paid within 60 days of receipt of the order. In addition a \$200.00 administrative fee is assessed and it must be paid within 60 days of receipt of the order.

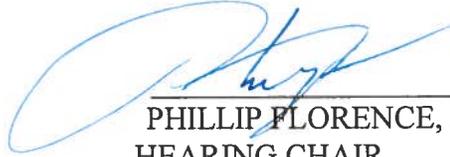
IT IS FURTHER ORDERED, pursuant to Section 8-13-320, a Judgment in the amount of \$300.00 is, and shall be entered against Respondent, if he fails to pay the late-filing penalty and administrative fee within the time permitted.

FINALLY, Respondent Michael Letts has ten (10) days from receipt of this order

to appeal this Decision and Order to the full Commission.

IT IS SO ORDERED THIS 9<sup>th</sup> DAY OF Dec., 2013.

STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.  
HEARING CHAIR

COLUMBIA, SOUTH CAROLINA