

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
IN THE MATTER OF:)
)
COMPLAINT C2014-084)
)
State Ethics Commission,)
 Complainant;)
)
 vs.)
)
Perry Nowlin,)
 Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

RECEIVED

APR 28 2014

STATE ETHICS
COMMISSION

DECISION AND ORDER

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2013), the State Ethics Commission reviewed the above captioned complaint on March 19, 2014 charging the Respondent, Perry Nowlin, with a violation of Section 8-13-1308. Present at the meeting were Commission Members Phillip Florence, Jr., Chair, E. Kay Biermann Brohl, George Carlton Manley, Richard H. Fitzgerald, Jonathan H. Burnett, Twana N. Burris-Alcide and James I Warren. The following allegation was considered:

ALLEGATIONS

On January 27, 2014 the State Ethics Commission filed a complaint against Perry Nowlin, candidate, Town of Lynchburg Council. The complaint alleged that the Respondent failed to file a Campaign Disclosure Report (CDR) that was due to be filed by May 20, 2013.

FINDINGS OF FACT

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

1. The Respondent, Perry Nowlin, filed as a candidate for Lynchburg Town Council; however, he filed his candidate paperwork too late and was not on the ballot. On

February 10, 2014 Commission Investigator Dan Choate spoke with Respondent by telephone. He stated he would send in documentation.

2. On February 11, 2014 the Lynchburg Town Clerk confirmed Respondent's version of events and stated Respondent was not on the ballot. Official verification was received.

CONCLUSIONS OF LAW

1. The Respondent, Perry Nowlin, was not a candidate, as defined by Section 8-13-1300(4).

2. The State Ethics Commission has subject matter jurisdiction, but not personal jurisdiction.

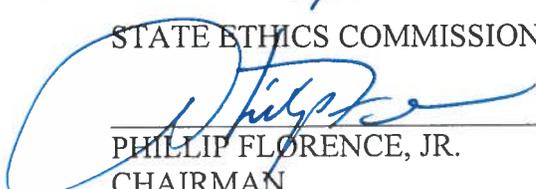
3. Section 8-13-1308(D) provides in part that a candidate must file a pre-election campaign disclosure form 15 days before the election.

DECISION

THEREFORE, based upon evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, Perry Nowlin, violated Section 8-13-1308(D) in that he was not a candidate and had no filing obligation. The Commission has therefore dismissed the charges in accordance with Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder.

IT IS SO ORDERED THIS 7th DAY OF April, 2014, 2013.

STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.
CHAIRMAN

COLUMBIA, SOUTH CAROLINA