

RECEIVED
2013 FEB 25 PM 12:40
STATE ETHICS
COMMISSION

STATE OF SOUTH CAROLINA) BEFORE THE STATE ETHICS COMMISSION
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2013-056)
STATE ETHICS COMMISSION,)
Complainant;)
vs.)
Marsha T. Lenons,)
Respondent.)

DECISION AND ORDER

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2012), the State Ethics Commission reviewed the above captioned complaint on January 16, 2013 charging the Respondent, Marsha T. Lenons, with a violation of Section 8-13-1140. Present at the meeting were Commission Members Phillip Florence, Jr., Chair, E. Kay Biermann Brohl, JB Holleman, Jonathan H. Burnett and Richard H. Fitzgerald. The following allegation was considered:

ALLEGATIONS

On October 23, 2012 the State Ethics Commission filed a complaint against Marsha T. Lenons, Commissioner, Belvedere Fire District. The complaint alleged that the Respondent failed to file a 2012 Statement of Economic Interests (SEI) statement.

FINDINGS OF FACT

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

1. The Respondent was an elected member of the Belvedere Fire District, which is a position required to file an annual SEI.
2. On November 1, 2012 the Respondent advised a Commission investigator that she had resigned her position with the Fire District in the first part of 2012. She stated she would provide documentation showing her resignation.

3. On November 6, 2012 documentation submitted by the Respondent indicated that she left her position before April 15, 2012.

CONCLUSIONS OF LAW

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

1. The Respondent was a public official as defined by Section 8-13-100(27).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. In accordance Reg. 52.601 (D), "A person required to file a Statement who is no longer in office on April 15 of the year following the first filing, is not required to file an updated Statement."

DECISION

THEREFORE, based upon evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, Marsha T. Lemons, violated Section 8-13-1140. 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 19th DAY OF February, 2013.
STATE ETHICS COMMISSION


PHILLIP FLORENCE, JR.
CHAIRMAN

COLUMBIA, SOUTH CAROLINA