

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
IN THE MATTER OF:)
COMPLAINT C2012-110)
)
State Ethics Commission,)
Complainant;)
)
vs.)
)
Paul R. Lindemann,)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

DECISION AND ORDER

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STATE ETHICS
COMMISSION

This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on March 20, 2012. On May 16, 2012, pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2011) the State Ethics Commission reviewed the above-captioned complaint charging the Respondent, Paul R. Lindemann, with a violation of Section 8-13-1110.

Present at the meeting were Commission Members Phillip Florence, Jr., Chair, E. Kay Biermann Brohl, Priscilla L. Tanner, JB Holeman, Edward E. Duryea, George Carlton Manly, Jonathan H. Burnett and Richard H. Fitzgerald. Also present were the Commission's Executive Director, Herbert R. Hayden, Jr., and his immediate staff. The Commission found probable cause to warrant an evidentiary hearing.

FINDINGS OF FACTS

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

1. In 2010 the Respondent, Paul R. Lindemann, was a member of Yourk County Council and he was required to file an annual Statement of Economic Interests form (SEI) prior to April 15th of each year.
2. Respondent is serving a federal prison sentence after being convicted of mail fraud and is no longer a member of York County Council.

CONCLUSIONS OF LAW

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

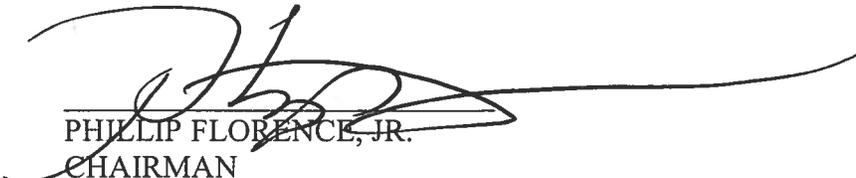
1. During all times relevant, the Respondent, Paul R. Lindemann, was a public official, as defined by Section 8-13-100(27).
2. The State Ethics Commission has personal and subject matter jurisdiction
3. Sections 8-13-1110 and 8-13-1140 provide that certain public officials shall file a Statement of Economic Interests at the time of assuming the duties of the position and annually thereafter prior to April 15.
4. Section 8-13-320(10)(i) provides in part:
 - (10) to conduct its investigation, inquiries, and hearings in this manner:
 - (i) . . . If the Commission finds probable cause to believe that a violation of this chapter has occurred, the Commission may waive further proceedings if the respondent takes action to remedy or correct the alleged violation.

DECISION

Based upon Respondent Paul R. Lindemann's incarceration and in accordance with Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder, the State Ethics Commission waives further proceedings.

IT IS SO ORDERED THIS 7th DAY OF June, 2012.

STATE ETHICS COMMISSION


PHILLIP FLORENCE, JR.
CHAIRMAN

COLUMBIA, SOUTH CAROLINA