

FILED

DEC 29 2006

ARKANSAS ETHICS
COMMISSION

BY

[Signature]

BEFORE THE ARKANSAS ETHICS COMMISSION

**In Re: Leta Anthony
Respondent**

**Case No. 2006-CM-014
and
Case No. 2006-CM-027**

FINAL ORDER

Came for a final adjudication hearing on December 15, 2006, the complaints filed in these two (2) cases against the Respondent, Leta Anthony, and based upon due consideration of the evidence presented at that hearing and the applicable law, the Arkansas Ethics Commission (hereinafter the "Commission") hereby makes the following findings of fact and conclusions of law:

1. The Commission has jurisdiction over this matter pursuant to Ark. Code Ann. § 7-6-218.
2. The Respondent is a citizen of Arkansas. At all times relevant to this case, the Respondent was a candidate for State Representative – District 33.
3. Pursuant to Ark. Code Ann. § 21-8-701, a candidate for elective office is required to file a written statement of financial interest ("SFI") for the previous calendar year within thirty (30) days after the deadline for filing for office.
4. In accordance with Ark. Code Ann. § 21-8-701(c)(1)(a), the Respondent was required to file her SFI for calendar year 2005 with the Secretary of State on or before May 4, 2006.
5. On August 8, 2006, the Commission filed a complaint against the Respondent based upon her apparent failure to file a SFI for calendar year 2005. That same day, the Commission sent the Respondent a letter, via certified mail with a return receipt requested, to notify her that an investigation was being commenced regarding the

issue of whether or not she violated Ark. Code Ann. § 21-8-701 by failing to file a SFI for calendar year 2005.

6. Pursuant to Ark. Code Ann. § 7-6-207, a candidate for state or district office is required to file campaign contribution and expenditure (“C&E”) reports with the Secretary of State. With regard to the 2006 primary election, the final C&E report was due by no later than June 30, 2006.

7. On August 30, 2006, the Commission filed a complaint against the Respondent based upon her apparent failure to file a final C&E report for the 2006 primary election. That same day, the Commission sent the Respondent a letter, via certified mail with a return receipt requested, to notify her that an investigation was being commenced regarding the issue of whether or not she violated Ark. Code Ann. § 7-6-207 by failing to file a final C&E report for the 2006 primary election.

8. On October 20, 2006, staff presented the preliminary results of its investigations in both cases to the Commission and was instructed to consolidate the two cases and complete the investigation. On October 25, 2006, staff sent the Respondent a letter, via first class mail, to notify her that the cases would be consolidated and that the matter would be presented to the Commission at its regular monthly meeting on November 17, 2006, for the purpose of determining whether or not probable cause existed for the finding of a violation.

9. On November 17, 2006, the Commission considered the results of staff’s investigation and found, by a vote of 3-0, that probable cause existed for finding that the Respondent violated (i) Ark. Code Ann. § 21-8-701 by failing to file a SFI for calendar year 2005, and (ii) Ark. Code Ann. § 7-6-207 by failing to file a final C&E report for the

2006 primary election, all in her capacity as a candidate for State Representative – District 33.

10. On November 21, 2006, staff sent a letter to the Respondent, via first class mail, notifying her of the Commission's finding of probable cause. In accordance with the Commission's Rules of Practice and Procedure, said letter contained a written Offer of Settlement proposing (i) the issuance of a Public Letter of Caution and a \$250 fine for violating Ark. Code Ann. § 21-8-701 by failing to file a SFI for calendar year 2005, and (ii) the issuance of a Public Letter of Caution and a \$250 fine for violating Ark. Code Ann. § 7-6-207 by failing to file a final C&E report for the 2006 primary election. The Respondent was given ten (10) days to accept the written Offer of Settlement or request a public hearing before the Commission.

11. On December 5, 2006, staff sent a letter to the Respondent, via first class mail, notifying her that a final adjudication hearing would be held on December 15, 2006. Said letter contained a separate written notice of final adjudication hearing providing the information required in Ark. Code Ann. § 25-15-208(a)(2).

12. The Respondent did not appear at the final adjudication hearing which was held on December 15, 2006. Said hearing was conducted in accordance with Ark. Code Ann. § 25-15-213.

13. Upon considering the evidence presented at the hearing, the Commission found, by a vote of 4-0, that the Respondent violated (i) Ark. Code Ann. § 21-8-701 by failing to file her SFI for calendar year 2005, and (ii) Ark. Code Ann. § 7-6-207 by failing to file a final C&E report for the 2006 primary election. The evidence showed that the disclosure reports in question remained unfiled by the Respondent.

14. With respect to the Respondent's violation of Ark. Code Ann. § 21-8-701, the Commission determined that the Respondent should be issued a Public Letter of Caution and fined \$250. Said fine is due no later than thirty (30) days from the date of this Order. The Respondent should further be ordered to file with the Secretary of State a SFI for calendar year 2005 within fifteen (15) days from the date of this Order. With respect to the Respondent's violation of Ark. Code Ann. § 7-6-207, the Commission determined that the Respondent should be issued a Public Letter of Caution and fined \$250. Said fine is due no later than thirty (30) days from the date of this Order. The Respondent should further be ordered to file with the Secretary of State a final C&E report for the 2006 primary election within fifteen (15) days from the date of this Order.

IT IS, THEREFORE, CONSIDERED, DECIDED and ORDERED by the Commission that the Respondent, Leta Anthony, shall be (i) issued a Public Letter of Caution and is hereby fined \$250 for failing to file her SFI for calendar year 2005, and that said fine shall be paid within thirty (30) days from the date of this Order; and (ii) issued a Public Letter of Caution and is hereby fined \$250 for failing to file a final C&E report for the 2006 primary election, and that said fine shall be paid within thirty (30) days from the date of this Order. Further, the Respondent is required to file with the Secretary of State her SFI for calendar year 2005 and a final C&E report for the 2006 primary election, all within fifteen (15) days from the entry of this Order.

IT IS SO ORDERED this 29th day of December, 2006.



TED DICKEY, Chairman
Arkansas Ethics Commission