

TEXAS ETHICS COMMISSION

IN THE MATTER OF
SHIKARA BROWN,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-230747

FINAL ORDER

The Texas Ethics Commission, having heard this case and voting to find a violation of laws under its jurisdiction, makes the following Findings of Fact and Conclusions of Law:

Findings of Fact

1. The respondent is Shikara Brown, whose last known mailing address is 4031 Ambrose Drive, Dallas, Texas 75241-5206. A sworn complaint was filed with the Texas Ethics Commission against the respondent on July 30, 2003. The Notice of Hearing was mailed to the respondent on June 8, 2004, by certified mail, return receipt requested, restricted delivery.
2. The preliminary review hearing was held on July 16, 2004, at 2:00 p.m., by the Texas Ethics Commission in Austin, Texas.
3. The respondent did not file a reply to the Notice of Hearing and did not appear at the hearing.
4. The respondent, an opposed candidate, failed to file a 30-day pre-election report by the April 3, 2003, deadline.

Conclusions of Law

1. Disposition of this case is within the jurisdiction of the Texas Ethics Commission. GOV'T CODE § 571.061.
2. The respondent received legally sufficient notice of the hearing in this case. GOV'T CODE § 571.032, and 1 T.A.C. § 12.21.
3. The allegation in the Notice of Hearing was deemed admitted as true in accordance with sections 12.33 and 155.55, 1 Texas Administrative Code; sections 2001.058, 2003.021, and 2003.050 of the Government Code.

4. By failing to file a 30-day pre-election report by the April 3, 2003, deadline, the respondent violated section 254.064(b) of the Election Code.
5. The Texas Ethics Commission may impose a sanction against the respondent of not more than \$5,000 or triple the amount at issue, whichever amount is greater. GOV'T CODE § 571.173.

Therefore, the Texas Ethics Commission orders that:

1. The respondent pay to the Texas Ethics Commission, within 30 days of the date of this order, a civil penalty in the amount of \$500.

Date: _____

FOR THE COMMISSION

Sarah Woelk
Acting Executive Director
Texas Ethics Commission