

Please print or type your name, mailing address, agency name, and position below:

## FINANCIAL INTERESTS

LAST NAME -- FIRST NAME -- MIDDLE NAME:

MAILING ADDRESS:

CITY:

ZIP:

COUNTY:

NAME OF AGENCY:

NAME OF OFFICE OR POSITION HELD OR SOUGHT:

CHECK IF ☐ CANDIDATE OR ☒ NEW EMPLOYEE OR APPOINTEE

FOR OFFICE  
USE ONLY:

ID Code

ID No.

Conf. Code

P. Req. Code

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2003 APR 17 PM 1:17  
SUPERVISOR OF INVESTIGATIONS

**\*\*THIS SECTION MUST BE COMPLETED\*\***

**DISCLOSURE PERIOD:**

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (check one):

☒ DECEMBER 31, 2002 OR ☐ SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR: \_\_\_\_\_

**MANNER OF CALCULATING REPORTABLE INTERESTS:**

THE LEGISLATURE ALLOWS FILERS THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). PLEASE STATE BELOW WHETHER THIS STATEMENT REFLECTS EITHER (check one):

☐ COMPARATIVE (PERCENTAGE) THRESHOLDS OR ☐ DOLLAR VALUE THRESHOLDS

**PART A -- PRIMARY SOURCES OF INCOME** [Major sources of income to the reporting person]

NAME OF SOURCE  
OF INCOME

SOURCE'S  
ADDRESS

DESCRIPTION OF THE SOURCE'S  
PRINCIPAL BUSINESS ACTIVITY

**PART B -- SECONDARY SOURCES OF INCOME** [Major customers, clients, and other sources of income to businesses owned by the reporting person]

NAME OF  
BUSINESS ENTITY

NAME OF MAJOR SOURCES  
OF BUSINESS' INCOME

ADDRESS  
OF SOURCE

PRINCIPAL BUSINESS  
ACTIVITY OF SOURCE

**PART C -- REAL PROPERTY** [Land, buildings owned by the reporting person]

**FILING INSTRUCTIONS** for when and where to file this form are located at the bottom of page 2.

**INSTRUCTIONS** on who must file this form and how to fill it out begin on page 3.

**OTHER FORMS** you may need to file are described on page 6.

## PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc.]

TYPE OF INTANGIBLE

BUSINESS ENTITY TO WHICH THE PROPERTY RELATES

CD  
STOCKFIRST NATIONAL BANK  
FRANKLIN HIGH YIELD

## PART E — LIABILITIES [Major debts]

NAME OF CREDITOR

ADDRESS OF CREDITOR

N/A

## PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses]

BUSINESS ENTITY # 1

BUSINESS ENTITY # 2

BUSINESS ENTITY # 3

NAME OF  
BUSINESS ENTITYADDRESS OF  
BUSINESS ENTITYPRINCIPAL BUSINESS  
ACTIVITYPOSITION HELD  
WITH ENTITYI OWN MORE THAN A 5%  
INTEREST IN THE BUSINESSNATURE OF MY  
OWNERSHIP INTEREST

N/A

IF ANY OF PARTS A THROUGH F ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE ☐

SIGNATURE (required):

DATE SIGNED (required):

4/16/03

**FILING INSTRUCTIONS:****WHAT TO FILE:**

After completing all parts of this form, including signing and dating it, send back only the first sheet (pages 1 and 2) for filing.

**NOTE:****MULTIPLE FILING UNNECESSARY:**

Generally, a person who has filed Form 1 for a calendar or fiscal year is not required to file a second Form 1 for the same year. However, a candidate who previously filed Form 1 because of another public position must at least file a copy of his or her original Form 1 when qualifying.

**WHERE TO FILE:**

If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location.

**Local officers/employees** file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.)

**State officers or specified state employees** file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709.

**Candidates** file this form together with their qualifying papers.

To determine what category your position falls under, see the "Who Must File" Instructions on page 3.

**WHEN TO FILE:**

**Initially**, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

**Candidates** for publicly-elected local office must file at the same time they file their qualifying papers.

**Thereafter**, local officers/employees, state officers, and specified state employees are required to file by July 1st following each calendar year in which they hold their positions.

**Finally**, at the end of office or employment, each local officer/employee, state officer, and specified state employee is required to file a final disclosure form (Form 1F) within 60 days of leaving office or employment.

**DATE FILED**

**JUN 10 2003**

**BEFORE THE  
STATE OF FLORIDA  
COMMISSION ON ETHICS**

**COMMISSION ON ETHICS**

In re **MARVIN MULKEY,**

Appellant.

)  
) Financial Disclosure Appeal No. FD 02-229  
)  
)

)  
) Final Order No. 03-337  
)  
)

**COPY**

**FINAL ORDER**

This matter came before the Commission on Ethics, meeting in public session on March 13, 2003, on the timely appeal of Marvin Mulkey pursuant to Section 112.3145(6)(f), Florida Statutes, which assesses an automatic fine of \$25 per day on a person who fails to timely file a required CE Form 1, Statement of Financial Interests. The Commission may waive the fine in whole or in part for good cause shown, based on "unusual circumstances" surrounding the failure to file by the designated due date. There are no material facts in dispute. Appellant did not request a hearing before the Commission.

**Findings of Fact**

1. During the year 2001, Marvin Mulkey served as a member of the Page Park Local Neighborhood District Committee. He was late filing a required CE Form 1, Statement of Financial Interests, for the year 2001.

2. In 2002, the designated due date for 2001 CE Form 1 annual filings was September 3, 2002, and Appellant's CE Form 1 was filed on April 17, 2003, (more than 60 days late), resulting in an automatic fine of \$1500.

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**2003 JUN 16 PM 3:25**  
**SUPERVISOR OF ELECTIONS**

3. Appellant states in this appeal that in 2001, he was mugged and beaten with a hammer on his head and face, breaking his jaw in seven places. He notes that the physical and emotional damage is irreversible. He is 82 years old.

### Conclusions of Law

4. The Commission has jurisdiction over Appellant and over the subject matter of this proceeding pursuant to Section 112.3145, Florida Statutes.

5. Financial disclosure is required of public officials and employees because it enables the public to evaluate potential conflicts of interest, deters corruption, and increases public confidence in government. In order to increase compliance, beginning in 2001 the Legislature provided for an automatic fine of \$25 per day, up to a cap of \$1,500, on persons who do not timely file their financial disclosure statements. Under the law, the Legislature permitted the Commission to waive a fine only "based upon unusual circumstances surrounding the failure to file on the designated due date . . . ."

6. Rule 34-8.215, Florida Administrative Code, defines "unusual circumstances" as

uncommon, rare or sudden events over which the reporting individual has no control and which directly result in the failure to act in accordance with the filing requirement. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirement shall be deemed not to constitute unusual circumstances.

7. Based on the representations of Appellant in this appeal, that he had been brutally attacked in the previous year, sustaining serious injury, the Commission finds that he has demonstrated that the delay in filing his CE Form 1 for 2001 resulted from "unusual circumstances" as defined above.

### Order

Based on the foregoing facts and conclusions of law, the Commission hereby waives the assessed fine of \$1500, provided that Appellant files his/her CE Form 1, 2001.

**ORDERED** by the State of Florida Commission on Ethics meeting in public session on Thursday, June 5, 2003.

June 10, 2003  
Date Rendered

Patrick K. Neal  
PATRICK K. NEAL  
CHAIR

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTIONS 112.3241 AND 120.68, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110, FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, BY U.S. MAIL AT P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709 (or by delivery to 2822 Remington Green Circle, Suite 101, Tallahassee, Florida 32308); AND BY FILING A COPY OF THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

Copy furnished to:

Mr. Marvin Mulkey  
100 Danley Drive  
Ft. Myers, FL 33907

PKN/kjs

## **Bernie Feliciano**

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**From:** "Bernie Feliciano" <bfeliciano@leeelections.com>  
**To:** "SHIRLEY TAYLOR" <taylor.shirley@leg.state.fl.us>  
**Sent:** Wednesday, April 16, 2003 4:10 PM  
**Subject:** MARVIN MULKEY

MARVIN MULKEY  
4610-072  
LEE COUNTY PAGE PARK LOCAL NEIGHBORHOOD  
DISTRICT COMMITTEE

Mr. Mulkey came in today and filed his Form 1 for 2001 and 2002.

His certified mail delinquent notice, mailed on July 31, 2002 was picked up on 8-3-02 by a Dennis Hunt. Mr. Mulkey claims that he does not know Dennis Hunt and has never heard of him.

Mr. Mulkey shared some photographs with me of injuries he sustained in a mugging in May 2001. He told me that he submitted doctor and court documentation for his appeal. If he did, I just want to let you know that I did see the pictures that were taken after his attack. He was hurt very badly from what I could see in the photos.

If you have any questions, please contact me. Bernie

Bernie Feliciano  
Qualifying Officer  
Lee County Elections Office  
239-339-6304 direct  
239-339-6300 main  
239-339-6310 facsimile  
bfeliciano@leeelections.com