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MIAMI-DADE COUNTY  
COMMISSION ON ETHICS & PUBLIC TRUST

In re: FRANK WOLLAND /

C 09-08

**PUBLIC REPORT AND FINAL DISMISSAL ORDER**

Andre Pierre, a mayoral candidate in the City of North Miami, filed the above-referenced COMPLAINT against RESPONDENT Frank Wolland, an opposing City of North Miami mayoral candidate. The COMPLAINT alleged that Mr. Wolland falsified, distorted, or misrepresented facts in his campaign materials, which, if true, would violate the County's Voluntary Fair Campaign Practices Ordinance at § 2-11.1.1 (D)(1) 11. In contrast, the Mandatory Fair Campaign Practices Ordinance at § 2-11.1.1 (C)(1)(b) prohibits untrue statements made with "actual malice" that expose the candidate to "hatred, contempt, or ridicule" or cause him to be "shunned or avoided, or injured in his or her business or occupation."

Pursuant to the Code of Miami-Dade County, Section 2-1068 and Section 2-11.1 (y), the Commission on Ethics & Public Trust has jurisdiction to enforce the Voluntary Fair Campaign Practices Ordinance, but only for candidates who choose to abide by it. Mr. Wolland chose not to sign the pledge associated with the Voluntary Fair Campaign Practices Ordinance. Therefore, he is not subject to this particular section of the Code. All candidates for municipal office are subject to the Mandatory Fair Campaign Practices Ordinance; however, the allegations in this case did not rise to a violation of the Mandatory Fair Campaign Practices Ordinance.

On May 28, 2009, the Ethics Commission dismissed the above-referenced COMPLAINT for lack of legal sufficiency.

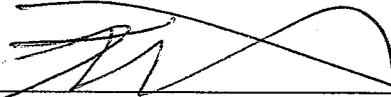
Therefore it is:

**ORDERED AND ADJUDGED THAT** the COMPLAINT is hereby  
DISMISSED.

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics &  
Public Trust in public session on May 28, 2009.

MIAMI-DADE COUNTY COMMISSION ON ETHICS  
& PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.  
Chairman

Signed on this date: June 1, 2009