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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: ATHONY CUTLER /

C 09-14

**PUBLIC REPORT AND FINAL ORDER
DISMISSING WITHOUT PREJUDICE**

The Assistant Advocate for the Miami-Dade Commission on Ethics filed the above-referenced COMPLAINT against RESPONDENT Anthony Cutler, a member of the City of Miami Equal Opportunity Advisory Board. The COMPLAINT alleged that RESPONDENT failed to file, by July 1, 2008, a financial disclosure form for the year 2007. If true, this failure violates Section 2-11.1(i)(1) of the County Ethics Code, *Financial Disclosure*.

Pursuant to the Code of Miami-Dade County, Section 2-1068 and Section 2-11.1 (y), the Ethics Commission has authority to enforce the County Conflict of Interest and Code of Ethics Ordinance against City of Miami advisory board members.

On August 27, 2009, the Ethics Commission found PROBABLE CAUSE to substantiate the COMPLAINT. RESPONDENT was duly noticed but failed to appear at the PROBABLE CAUSE hearing. Subsequently, the Ethics Commission was unable to notice the RESPONDENT of a PUBLIC HEARING in this matter. According to a

Department of Corrections Report, RESPONDENT is currently in prison for parole violations and is likely to remain incarcerated for a prolonged period of time.

In a public meeting on November 17, 2009, the Ethics Commission determined that the public interest is not served by continuing to pursue a RESPONDENT who is incarcerated. Concurring with a MOTION filed by the Assistant Advocate, the Ethics Commission DISMISSED WITHOUT PREJUDICE the COMPLAINT against Anthony Cutler, thus allowing the Advocate to refile the COMPLAINT.

Therefore it is:

ORDERED AND ADJUDGED THAT the COMPLAINT against RESPONDENT Anthony Cutler is hereby DISMISSED WITHOUT PREJUDICE.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on November 17, 2009.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.
Chairman

Signed on this date: NOV. 19, 2009