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MIAMI-DADE COUNTY  
COMMISSION ON ETHICS & PUBLIC TRUST

In re: CHARLES CUTLER

C 09-15

**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 Charles Cutler, a member of the City of Miami Overtown Community Oversight 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. An Ethics

Commission investigator attempted at least five times at various addresses to personally serve the RESPONDENT, but RESPONDENT evaded service.

In a public meeting on November 17, 2009, the Ethics Commission determined that the public interest is not served by continuing to expend resources in pursuit of the RESPONDENT. Concurring with a MOTION filed by the Assistant Advocate, the Ethics Commission DISMISSED WITHOUT PREJUDICE the COMPLAINT against Charles Cutler, thus allowing the Advocate to refile the COMPLAINT.

Therefore it is:

**ORDERED AND ADJUDGED THAT** the COMPLAINT against RESPONDENT Charles 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