

COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
AGENCY NO. 13-007

EXECUTIVE BRANCH ETHICS COMMISSION

COMPLAINANT

vs.

STEPHANIE L. SANDMANN (now HISER)

RESPONDENT

FINAL ORDER

The Executive Branch Ethics Commission having reviewed the complete administrative record, any and all exceptions filed pursuant to KRS 13B.110(4), and being otherwise sufficiently advised;

HEREBY adopts the Findings of Fact, Conclusions of Law, and Recommended Order of the Hearing Officer, as issued on October 24, 2014, as its Final Order. The Commission hereby finds clear and convincing evidence, as required by KRS 11A.100(3), that the Respondent violated KRS 11A.020(1)(b), (c), and (d) of the Executive Branch Code of Ethics, as stated in the Appendix to the Initiating Order issued on March 18, 2013. The Commission further hereby issues a public reprimand, a copy of which will be provided to her former appointing authority, against the Respondent and orders the Respondent to pay a civil penalty in the amount of five thousand dollars (\$5,000), as provided by KRS 11A.100(3)(c) and (e), to be deposited into the state treasury.

NOTICE OF APPEAL RIGHTS

You have a right to appeal the Final Order of the agency pursuant to KRS 13B.140, which reads in part:

(1) All final orders of an agency shall be subject to a judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the

Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to Franklin Circuit Court or the Circuit Court of the county in which the appealing party resides or operates a place of business. Copies of the Petition shall be served by the Petitioner upon the agency and all parties of record. The Petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested. The Petition shall be accompanied by a copy of the Final Order.

Pursuant to KRS 23A.010(4), "Such review [by the Circuit Court] shall not constitute an appeal but an original action." Some courts have interpreted this language to mean that summons must be served upon filing an appeal in Circuit Court.

SO ORDERED, this 30th day of January 2015.

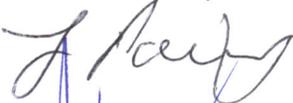
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