

COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
AGENCY NO. 15-002
ADMINISTRATIVE ACTION NO. 15-EBEC-0078

EXECUTIVE BRANCH ETHICS COMMISSION

COMPLAINANT

v.

SHANION THURMAN

RESPONDENT

FINAL ORDER OF DEFAULT JUDGMENT

The Executive Branch Ethics Commission hereby adopts the Hearing Officer's Findings of Fact, Conclusions of Law, Recommended Order of Default, and Notice of Exception and Appeal Rights, as issued on August 31, 2015, as its Final Order, and incorporates it by reference as if fully stated herein, except it adopts the changes to paragraphs 6, 7, and 9 of the Findings of Fact as if fully stated herein as recommended by the Complainant as stated in its September 17, 2015 Exceptions. The Executive Branch Ethics Commission finds the Respondent, Shanion Thurman, in default and finds all the allegations in the Commission's Initiating Order and Appendix to be true by reason of the Respondent's default pursuant to KRS 13B.060(6). Further, the Commission hereby orders the Respondent receive a public reprimand and pay a civil penalty in the amount of five thousand dollars (\$5,000.00) per count for the one (1) count listed in the Initiating Order, for a total civil penalty of five thousand dollars (\$5,000.00).

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.

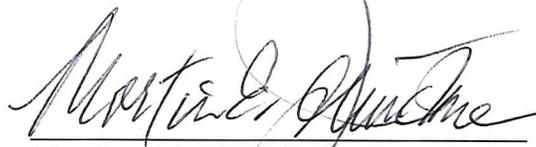
SO ORDERED, this 30th day of September 2015.

EXECUTIVE BRANCH ETHICS COMMISSION


Chair, W. David Denton


Vice-Chair, William Francis


Member, Lewis G. Paisley


Member, Martin E. Johnstone


Member, Richard L. Masters

DISTRIBUTION

By hand delivery, for filing on September 30, 2015:

Debbie Briscoe
Administrative Proceedings Clerk
Executive Branch Ethics Commission
3 Fountain Place
Frankfort, Kentucky 40601

and

Hon. Kathryn H. Gabhart
Executive Director
Executive Branch Ethics Commission
3 Fountain Place
Frankfort, Kentucky 40601

By messenger mail:

Hon. James L. Dickinson
Hearing Officer
Division of Administrative Hearings
Office of the Attorney General
1024 Capital Center Drive
Frankfort, Kentucky 40601

By first class mail, postage prepaid:

Shanion Thurman
2205 Grand Ave
Louisville, Kentucky 40210



Debbie Briscoe