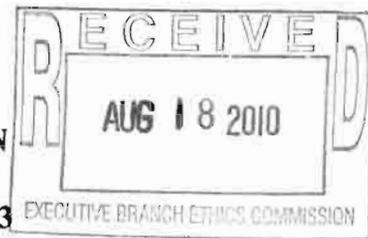


COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
AGENCY NO. 10-005
ADMINISTRATIVE ACTION NO. 10-EBEC-0163



EXECUTIVE BRANCH ETHICS COMMISSION

COMPLAINANT

vs.

RECOMMENDED ORDER OF DEFAULT

SHARON HARRIS

RESPONDENT

* * * * *

THIS MATTER came before the Hearing Officer on July 30, 2010, at 9:30 a.m., ET, for a telephonic Prehearing Conference held pursuant to KRS 13B.070. Dana Cox Nickles appeared as counsel for the Executive Branch Ethics Commission, hereafter “the Commission,” along with the Commission’s Executive Director, John R. Steffen . The Respondent, Sharon Harris, did not appear. The Commission requested a show cause order, which was granted.

On June 21, 2010, the Hearing Officer issued a Show Caused Order, setting this matter for a telephonic show cause conference on July 30, 2010, at 9:30 a.m., ET, and ordering the Respondent to appear by telephone at that time and show cause why a default order should not be entered in favor of the Commission. Ms. Harris was also ordered to contact the Hearing Officer’s staff and give them a phone number where she could be reached for the telephonic show cause conference, and also give them a current address. The Respondent was also warned that if she failed to comply with the show cause order, a recommended order would be issued finding her in default and recommending that a final order be issued against her pursuant to KRS 13B.080 (6).

A telephonic show cause conference was conducted on July 30, 2010, at 9:30 a.m., ET. Ms. Harris failed to appear and failed to contact the Hearing Officer’s staff with a phone number

where she could be reached. The Commission's counsel also reported that Ms. Harris had not contacted the Commission.

Pursuant to KRS 13B.080 (6), if a party properly served under KRS 13B.050 fails to attend or participate in a prehearing conference, the Hearing Officer can adjourn the proceedings and issue a default order granting or denying relief as appropriate. The default order is to be considered a recommended order.

The Commission has filed a Notice of Filing Service Documents, which reports that the return receipt for the Commission's certified mailing of the Initiating Order and Allegation of Violations in this case, which was sent to Respondent's last-known address, was signed by Sharon Harris and returned to the commission on May 21, 2010.

Therefore, being otherwise duly advised, IT IS HEREBY RECOMMENDED that the Kentucky Executive Branch Ethics Commission issue a final order against the Respondent, Sharon Harris, finding her in default, determining that all the allegations in the Commission's Allegation of Violations are true by reason of her default, and ordering that she receive a public reprimand and pay a fine in the amount of \$1,500.

**NOTICE TO PARTIES OF EXCEPTION
AND APPEAL RIGHTS**

Pursuant to KRS 13B.110(4):

a copy of the hearing officer's recommended order shall also be sent to each party in the hearing and each party shall have fifteen (15) days from the date the recommended order is mailed within which to file exceptions to the recommendations with the agency head.

Pursuant to KRS 13B.120(2):

the agency head may accept this recommended order and adopt it as the agency's final order, or it may reject or modify, in whole or in part, the recommended order, or it may remand the matter, in whole or in part, to the hearing officer for further proceedings as appropriate.

Pursuant to KRS 13B.120(4):

the agency head shall render a final order in an administrative hearing within ninety (90) days after the hearing officer submits a recommended order to the agency head, unless the matter is remanded to the hearing officer for further proceedings.

Pursuant to KRS 13B.140:

All final orders of an agency shall be subject to judicial review in accordance with the provisions of KRS Chapter 13B. 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, in 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 when filing an appeal petition in the Circuit Court.

SO RECOMMENDED this 16 day of August, 2010.

A handwritten signature in black ink, appearing to read 'M. Head', written over a horizontal line.

MICHAEL HEAD
HEARING OFFICER
ADMINISTRATIVE HEARINGS BRANCH
OFFICE OF THE ATTORNEY GENERAL
1024 CAPITAL CENTER DRIVE, SUITE 200
FRANKFORT, KENTUCKY 40601-8204
(502) 696-5442
(502) 573-1009 - FAX

CERTIFICATE OF SERVICE

I hereby certify that the original of this ORDER was mailed this 17th day of

August, 2010, by messenger mail, to:

DEBBIE BRISCOE
EXECUTIVE ASSISTANT
EXECUTIVE BRANCH ETHICS COMM
#3 FOUNTAIN PLACE
FRANKFORT KY 40601

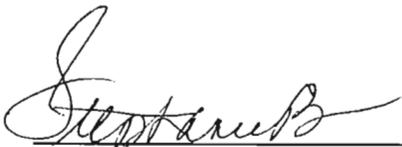
for filing; and a true copy was sent by first-class mail, postage prepaid, to:

SHARON HARRIS
215 GRAND AVE
MIAMI FL 33133-4841

SHARON HARRIS
1056 GRIFFIN GATE DR
LEXINGTON KY 40511

and, by messenger mail, to:

DANA COX NICKLES
GENERAL COUNSEL
EXECUTIVE BRANCH ETHICS COMM
#3 FOUNTAIN PLACE
FRANKFORT KY 40601



DOCKET COORDINATOR

100163fc rec ord default dismiss req for hrg & fine.Harris.mh.wpd