FLORIDA
COMMISSION ON ETHICS
OCT 09 2026
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BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re: Tonya Schumacher,

Respondent. **Complaint No. 25-101**

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ADVOCATE'S MOTION TO DISMISS COMPLAINT

COMES NOW, Advocate for the Florida Commission on Ethics (Commission) and moves the Commission to Dismiss the pending complaint and as good grounds states:

FACTUAL BACKGROUND AND PROCEDURAL HISTORY

1. In the fall of 2024, Respondent was campaigning for the position of Supervisor with the Coquina Water Control District (CWCD).

2. Colonial Consultants & Notary Services, LLC is owned by Christian Vasconcellos.

3. Respondent contends that due to harassment by her opponent's partner she hired Colonial Consultants to assist her with the situation which included providing her with personal security during the October District meeting where the election for Supervisor occurred. She won and was sworn-in at the November District meeting, again she hired Colonial Consultants for personal security. Also, during the November meeting, the Supervisors, including Respondent, voted to move forward with a forensic audit of the District.

4. At the January 2025 District meeting, a Supervisor made a motion to hire Colonial Consultants to conduct the forensic audit. It passed with Respondent abstaining from the vote.

5. On January 28, 2025, Respondent along with another Supervisor signed the contract with Colonial Consultants for the forensic audit. The CWCD's contract with Colonial Consultants included "protective services" to begin on January 28, 2025 and end on or around February 1, 2026 unless extended further past the 365-day initial contract.

6. For the February 2025 CWCD meeting, Respondent requested personal security services from Colonial Consultants meeting due to Complainant's harassment. While Vasconcellos assigned two employees who appeared at the meeting, they were not needed as local law enforcement was present. Respondent offered to pay anyway; however, Vasconcellos advised, "We [Colonial Consultants] just ate the cost for it [sending two employees to perform private security] and called it a wash."

7. It is alleged that Respondent's contractual relationship with Colonial Consultants created a conflict with her public duties as Colonial Consultants was also doing business with CWCD in violation of Section 112.313(7), Florida Statutes. The facts indicated that Respondent engaged Colonial Consultants for personal services which Colonial Consultants accepted and appeared at the meeting. Regardless of whether Colonial Consultants accepted payment from Respondent, there was an intent to do business between Respondent and Colonial Consultants.

8. The Advocate recommended probable cause that Respondent violated Section 112.313(7), Florida Statutes, in her Advocate's Recommendation. The recommendation was partially based on Vasconcellos' unsworn testimony that Respondent also hired Colonial Consultants to perform private security for her during the months of October, November, and December in 2024.

9. On January 28, 2026, the Commission issued its Order Finding Probable Cause, based on the preliminary investigation, that Respondent violated Section 112.313(7), Florida Statutes, by having a conflicting contractual relationship.

10. In preparation for entering into settlement negotiations and/or proceeding at the Division of Administrative Hearings, the Advocate and Respondent reviewed pertinent information, including witnesses to the allegation.

11. In a sworn affidavit, Vasconcellos refutes the testimony from the Report of Investigation and contends that that no services were provided to Respondent after she assumed her role as a Supervisor in November 2024. (Exhibit A) This contradicts the theory that Respondent contracted with Colonial Consultants while it was doing business with her agency, CWCD.

12. The probable cause standard is used during the initial stages of an ethics case. However, establishing facts at the Division of Administrative Hearings (DOAH) requires "clear and convincing evidence," which is a higher evidentiary standard. The determination of whether there is a violation is fact-intensive and turns on the particular facts of the individual case. Accordingly, to prepare a case for a DOAH hearing, further investigation is sometimes required to uncover facts to meet the higher burden. Clear and convincing evidence is "evidence making the truth of the facts asserted 'highly probable,'" *Slomowitz v. Walker*, 429 So. 2d 797, 799 (Fla. 4th DCA 1983) (quoting *Colorado v. Taylor*, 618 P.2d 1127, 1136 (Colo. 1980)). In other words, to constitute "clear and convincing evidence," the evidence must be of such weight that it produces in the mind of the trier of fact a firm belief or conviction, without hesitancy, as to the truth of the allegations sought to be established. *Bouie v. State,* 292 So. 3d 471 (Fla. 2nd DCA 2020); *Derossett v. State*, 311 So. 3d 880 (Fla. 5th DCA 2019).

13. At DOAH, the Administrative Law Judge is the sole judge of witness credibility. The ALJ determines which testimony to believe based on the witness's demeanor, ability to recall events, bias, and reasonableness of the statements.

14. For a violation under Section 112.313(7), Florida Statutes, it must be established that Respondent was a public officer who had a contractual relationship with an entity that was doing business with her agency.

15. The best evidence of the contractual relationship was Vasconcellos' unsworn testimony which is now contradicted by his sworn affidavit.

16. In addition, Respondent no longer serves as a Supervisor.

17. Without sufficient evidence to move forward to a hearing, Advocate respectfully requests that the case be dismissed.

WHEREFORE, it is respectfully suggested that, in light of the additional and clarifying testimony, the ethics complaint against Respondent be dismissed.

RESPECTFULLY SUBMITTED the 9th day of October, 2026.

Melody Hadley

MELODY A. HADLEY
Advocate for the Florida
Commission on Ethics
Florida Bar No. 0636045
Office of the Attorney General
The Capitol, PL-01
Tallahassee, Florida 32399-1050
(850) 414-3300, Ext. 3704
melody.hadley@myfloridalegal.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this document has been sent to Respondent, tonyanrichie@att.net, via e-mail only, on the 9th day of October, 2026.

Melody Hadley
Melody A. Hadley

GENERAL AFFIDAVIT

State of FLORIDA

County of Lee

Before me this day personally appeared Christian J Vasconcellos (affiant) who, being duly sworn deposes and says:

My Company, Colonial Consultants, was retained by Tonya Schumacher to provide one time services in late 2024; after she assumed her seat on the board of supervisors for Coquina Water Control District no further services were provided to Schumacher nor did any of the services we provided benefit her personally. Allegations arose from the typical uninformed peanut gallery , as usual for anything at the Coquina Water Control District but as they say: "The Emptiest Vessel Makes the Most Noise". It's shocking that any agency would lend any credit to their claims, they've clearly put themselves into a vexatious litigant category.

//////////////////----------END OF STATEMENT----------//////////////////

signature of affiant

Sworn to (or affirmed) and subscribed before me this 5th day of February, 2026, by Christian Vasconcellos who ☐ is personally known to me or ☒ produced a FLDL as identification.

(SEAL)
AIDAN JOSEPH SCHUDEL
Notary Public, State of Florida
My Comm. Expires 11/28/2027
Commission No. HH 467627

notary public signature

Aidan Joseph Schudel
notary public printed name

EXHIBIT
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www.NotaryEL.com provides this affidavit pursuant to Florida Statutes §117.05(13)(a)