

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re ADAM WEISHOLTZ,)
)
 Appellant.)

)

Financial Disclosure Appeal No. FD 21-001

Final Order No.

DRAFT

FINAL ORDER

This matter came before the Commission on Ethics, on its own motion, meeting in public session on March 10, 2023, in the matter of Adam Weisholtz (Appellant), pursuant to Section 112.3145(8)(g) [formerly, Section 112.3145(7)(f)], Florida Statutes, which assesses an automatic fine of \$25 per day on a person who fails to timely file a required CE Form 1, Statement of Financial Interests. The Commission may waive the fine in whole or in part for good cause shown, based on "unusual circumstances" surrounding the failure to file by the designated date. There are no matters in dispute. Appellant requested a hearing before the Commission.

Findings of Fact

1. According to information provided to the Commission, Appellant is a member of the Judicial Nominating Commission for the 15th Judicial Circuit, a position requiring the filing of a CE Form 1, Statement of Financial Interests, for the year 2020. The designated due date for submitting a 2020 CE Form 1 annual filing was July 1, 2021, with a grace period ending on September 1, 2021.

2. On May 26, 2021, the Commission on Ethics sent Appellant a 2020 CE Form 1. This mailing was sent to: 170 NE 2nd Street, #732, Boca Raton, FL 33429. It is unknown if Appellant received this mailing.

3. On July 30, 2021, the Commission on Ethics sent Appellant a Notice of Delinquency by certified mail. This notice was also sent to the 170 NE 2nd Street address. It is unknown if Appellant received this mailing.

4. On August 19, 2021, the Commission mailed Appellant a postcard intended to remind him of his obligation to file a 2020 CE Form 1. The Commission mailed the postcard to the 170 NE 2nd Street address. It is unknown if Appellant received this mailing.

5. On September 8, 2021, seven days after the grace period expired, the Commission mailed Appellant a courtesy notice informing him that his 2020 CE Form 1 had not been received, and that an automatic fine had begun to accrue. The Commission mailed this notice to the 170 NE 2nd Street address. It is unknown if Appellant received this mailing.

6. On September 24, 2021, the United States Postal Service returned the Notice of Delinquency, originally sent on July 30, 2021, to the Commission because it was not deliverable as addressed.

7. On August 5, 2022, Appellant submitted his 2020 CE Form 1 to the Commission on Ethics.

8. The total amount of the fine automatically assessed against Appellant was the maximum of \$1,500 for submitting his CE Form 1 late by more than 60 days.

9. On September 19, 2022, the Commission received Appellant's appeal of the automatic fine. In the appeal, Appellant stated that he did not receive any of the correspondence sent by the Commission.

10. In his appeal, Appellant claims that on October 20, 2020, he changed his address to 604 Banyan Trail, #810261, Boca Raton, FL 33481 as shown by a USPS P.O. Box Customer Agreement, and updated his address on the Florida Bar website on the same day. Appellant

explained in his appeal that the address used to mail the CE Form 1 and other related notices—170 NE 2nd Street, #732, Boca Raton, FL 33429—was an old address. Appellant stated in his appeal that his correct address was 604 Banyan Trail, #810261, Boca Raton, FL 33481.

Conclusions of Law

11. The Commission has jurisdiction over the subject matter of this proceeding pursuant to Section 112.3145, Florida Statutes.

12. Financial disclosure is required of public officials and employees because it enables the public to evaluate potential conflicts of interest, deters corruption, and increases public confidence in government. In order to increase compliance, beginning in 2001 the Legislature provided for an automatic fine of \$25 per day, up to a cap of \$1,500, on persons who do not timely file their financial disclosure statements. Under the law, the Legislature permitted the Commission to waive a fine only "based upon unusual circumstances surrounding the failure to file on the designated due date"

13. Commission Rule 34-8.215, F.A.C., defines "unusual circumstances" as follows:

uncommon, rare or sudden events over which the reporting individual has no control and which directly result in the failure to act in accordance with the filing requirement. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirement shall be deemed not to constitute unusual circumstances.

14. Appellant's basis for the appeal of his fine is that he was unable to timely file his 2020 CE Form 1 because he did not receive any of the notices sent in the mail that would have alerted him to the obligation to file. The mailings were sent to an address that Appellant was no longer using, an address at which he was no longer receiving mail. Given these facts and Appellant's assertion that he did not receive the mailings, there is no evidence that Appellant personally received notice of his filing obligation before the expiration of the grace period.

Taking into account that there is no evidence that Appellant received the notices concerning his filing obligation, we find this to constitute "unusual circumstances" that justify waiving the \$1,500 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby waives the assessed fine of \$1,500.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, March 10, 2023.

Date Rendered

Glenton "Glen" Gilzean, Jr.
Chair, Florida Commission on Ethics

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.68, AND SECTION 112.3241, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110 FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, AT EITHER 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303 OR P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709; AND BY FILING A COPY OF THE NOTICE OF APPEAL ATTACHED TO WHICH IS A CONFORMED COPY OF THE ORDER DESIGNATED IN THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

GG/jcb

Copy furnished to:

Mr. Adam Weisholtz
604 Banyan Trail, #810261
Boca Raton, FL 33481

21-001

FLORIDA
COMMISSION ON ETHICS

SEP 16 2022

RECEIVED

STATE OF FLORIDA
COMMISSION ON ETHICS

325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303
Telephone: (850) 488-7864
Fax: (850) 488-3077
Email: disclosure@leg.state.fl.us

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2020

DIRECTIONS: The information you provide in this form is critical for processing your appeal in a timely manner.

In Part A, please provide current contact information. If your contact information changes while your appeal is being processed, please notify us.

In Part B, please check any boxes that specify the general reason(s) for your appeal.

In Part C, please explain in detail the reason(s) for your appeal. In addition to your written explanation in Part C, you may attach any documents that support your appeal.

IMPORTANT: TO PRESERVE YOUR RIGHT TO APPEAL, THIS FORM OR OTHER WRITTEN APPEAL (AND ANY ATTACHMENTS) MUST BE FILED WITH (RECEIVED BY) THE COMMISSION ON ETHICS WITHIN THIRTY (30) DAYS OF THE DATE THE NOTICE OF ASSESSMENT OF AUTOMATIC FINE WAS MAILED TO YOU.

PLEASE SEND YOUR COMPLETED FORM TO ONE OF THE FOLLOWING:

Mailing Address: Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709

Physical Address: Commission on Ethics
325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

PART A: YOUR INFORMATION

Name: Adam Weisholtz

Address: 604 Banyan Trail, #810261 City: Boca Raton State: FL Zip: 33481

Daytime Tel.: 954-295-2326 Cell: 954-295-2326

Email: kingnole@aol.com Filer ID# (if known): 243985

Public Employer: Judicial Nominating Commission, 15th Judicial Circuit

Public Position: Commissioner (term expired 7/1/2022)

CONTINUED ON REVERSE SIDE

PART B: GENERAL REASON(S) FOR YOUR APPEAL

Please choose any/all reasons that apply to your appeal.

I hereby appeal the Notice of Assessment of Automatic Fine on the following basis:

- a. ☐ **Sickness or injury** (Explain in Part C and attach a statement from attending physician, including dates and nature of illness or injury)
- b. ☒ **Lack of notification – Failure to receive notice** (Explain in Part C and provide documentation that supports your assertion that you never received certified mail delinquency notice: for example, incorrect address; misdelivered mail; change in employment; extended absence from home, etc.)
- c. ☐ **Claim of timely filing of financial disclosure** (Explain in Part C and provide copy of certified mail receipt and/or copy of completed form which had been previously filed, along with a sworn notarized statement that you filed prior to the deadline)
- d. ☐ **Left public position prior to December 31, 2020** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2020)
- e. ☐ **Other unusual circumstance** (Explain in Part C and provide documentation explaining uncommon, rare, or sudden occurrence that prevented timely filing prior to deadline)
- f. ☐ **Not required to file** (Explain in Part C and provide documentation that supports reason for not required to file)

PART C: DETAILED EXPLANATION OF YOUR APPEAL

Please provide a detailed explanation of your appeal, including why each option you selected in Part B is applicable to you. You may use the space provided and/or attach additional pages.

Please see attached statement.

OPTIONAL REQUEST FOR HEARING

☒ In addition to this written appeal, I specifically request to appear before the Commission in a hearing pursuant to Section 112.3144(8)(f)3 or Section 112.3145(8)(g)3, Florida Statutes. Commission meetings occur in Tallahassee.

SIGNATURE

I have received and read the Notice of Assessment of Automatic Fine and its instructions on How to Appeal and I understand my options. I am requesting disposition of this matter as indicated.

9/15/2022

DATE

Adam Weisholtz

SIGNATURE

Adam Weisholtz
Appeal of Automatic Fine for Form Year 2020

Part C: Detailed explanation

I filed my 2020 CE Form 1 after the filing deadline due to unusual circumstances. In this case, those unusual circumstances were lack of notice.

I did not receive any of the correspondence mailed to me by the Commission on Ethics during the year 2021, including the 5/26/2021 regular notice and the 7/30/2021 certified notice advising of the Sept 30th deadline. I would have filed my Form 1 in a timely manner, if I would have received those notices, as evidenced by my timely filings in all other years I served on the Judicial Nominating Commission.

As evidence of my lack of notice, I am attaching the following documentation:

- (1) USPS Mail Piece Detail tracking sheet (printed 8/24/2022), showing that the certified notification letter was mailed 7/29/2021, but remained in transit with USPS for nearly two months, until it was finally returned to the "Original Sender" on 9/24/2021.
- (2) USPS proof of delivery, showing the certified notification letter was not delivered to me, but, rather, was returned to the "Original Sender" on 9/24/2021, and signed for by a USPS employee in Tallahassee.
- (3) USPS P.O. Box Customer Agreement and payment receipt showing my address was changed to 604 Banyan Trail, #810261, Boca Raton, FL 33481, on 10/20/2020, which predates all notices mailed to me by the Commission on Ethics. Please note that my professional address was updated with the Florida Bar simultaneously on the date I signed the agreement for the new post office box and was accessible to the public.



WOODLAND
604 BANYAN TRL
BOCA RATON, FL 33431-9992
(800)275-8777

10/20/2020

11:37 AM

Product	Qty	Unit Price	Price
---------	-----	------------	-------

1-Yr Box			\$150.00
Box ZIP Code: 33481			
Box Number: 810261			
Box Size: Size 1 - 3 in x 5.5 in			
Rental Period: Annual			
Rental Start Date: 10/20/2020			
Next Renewal Date: 11/30/2021			
Key Fee			\$0.00
Keys Delivered: 2			
Key Deposit			\$0.00
Key Count: 2			
Key Number: 01711			
Add Service			\$0.00
Svc: Signature on File			
Add Service			\$0.00
Svc: Street Addressing			
Total			\$150.00

Grand Total: \$150.00

Credit Card Remitted \$150.00
Card Name: VISA
Account #: XXXXXXXXXXXX7146
Approval #: 043711
Transaction #: 341
AID: A0000000980840 Chip
AL: US DEBIT
PIN: Not Required

In a hurry? Self-service kiosks offer
quick and easy check-out. Any Retail
Associate can show you how.

Preview your Mail
Track your Packages
Sign up for FREE @
www.informedelivery.com

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

Tell us about your experience.
Go to: <https://postalexperience.com/Pos>
840-5627-0107-004-00052-39368-01
or scan this code with your mobile device,



or call 1-800-410-7420.

UFN: 110856-0234
Receipt #: 840-53270107-4-5239368-1
Clerk: 1

Customer Agreement for Premium PO Box Service Additional Services

The Postal Service is offering the following services for PO Box customers at this Post Office® Location:

- Street Addressing
- Signature on File

A. Street Addressing Service for your PO Box

With this service, you will have the option of using the street address of this Post Office location for your mailing address in addition to your PO Box number. For example, if a Post Office is located on 500 Main Street and you have PO Box 59, your mail would be addressed 500 Main Street #59. You will also be able to use the street address to receive most packages and deliveries through private carriers, such as UPS and FedEx. Both Street Addressed mail and PO Box addressed mail can be delivered to your PO Box.

1. When you sign up for this option, your new street address format will be:

604 BANYAN TRL	#	810261
Post Office Street Address		PO Box Number
BOCA RATON	FL	33481
City	State	PO Box ZIP Code

2. Please note that you are limited to this address format, including both the # sign and your PO Box number. For example, you may not use "Suite" or "Apt." Mail you receive at your PO Box without using the correct address format may be returned to sender.
3. You may not use the street address option as your physical residence or place of business in legal documents. Misuse of your street address in this manner may result in closing your PO Box and may be in violation of civil and criminal laws.
4. You may use this address only for items that can be delivered through the mail. For example, you may not use the street address to receive shipments of wine, other alcohol, items over 70 pounds or items prohibited by Postal Service policy (see Domestic Mail Manual (DMM) Section 601), even though private carriers can carry those items. Any such shipments will be refused or held for pickup by the private carrier. The DMM is available at <http://pe.usps.com/>.
5. If you close your PO Box, you must submit two Change of Address (COA) forms: one for the PO Box address and one for the street address. Both forms must be forwarded to the same delivery address. Mail for a PO Box with street addressing cannot be forwarded to two different addresses.
6. If you decide to discontinue street addressing, mail bearing the street address will be delivered to the PO Box without charge for an additional 90 days. The 90-day period is designed to give customers enough time to communicate their address change to their mailers. After the 90-day readjustment period, all mail addressed to the PO Box street-style address will be returned to sender as undeliverable as addressed.
7. Private carriers are not liable for loss or damage that occurs to Street Addressed packages after the item is accepted and not refused by the Postal Service. DMM regulations for uninsured packages will apply for all packages that are lost or damaged while in the possession of the Postal Service.

NOTE: Street Addressing is not available for Caller Service, Reserve Number, or Group E Box customers.

X (Please initial.) I would like to participate in Street Addressing.

B. Signature on File

The Postal Service™ is offering Signature on File for PO Box customers at this Post Office™ location. With this service, you can place your Signature on File with the Postal Service, which eliminates the need to wait in line to sign for a package. When you sign up for Signature on File, you authorize the Postal Service to use this signature whenever the following signature-required mail arrives at your PO Box:

- Priority Mail Express®
- Insured Mail over \$500 (including Electronic Return Receipt)
- Signature Confirmation™

We will place this mail in your PO Box or in a secure parcel locker for you to pick up at your convenience.

Terms and Conditions

You must complete two PS Forms 3849 ("Sorry We Missed You") with this agreement. One will be scanned when an eligible item for Signature on File is received. Another will be reserved in a secure area in case the first one did not scan properly. Although everyone listed on the PS Form 1093, *PO Box Application*, can participate, only the **primary box holder** (the one who signed the *PO Box Application*) can sign the two PS Forms 3849. All persons who receive mail at this box must abide by the terms and conditions as well.

NOTE: *Signature on File service does not apply to the following accountable items: Registered Mail (including Return Receipt), Certified Mail® (including Return Receipt), "green" hardcopy Return Receipt, and Restricted Delivery. Also, you will still need to go to the Retail counter to pick up an item that does not fit in your PO Box when no parcel locker is available. Mail placed in a parcel locker that is not picked up within a few days may need to be picked up at the Retail counter.*

X (Please initial) I would like to participate in Signature on File.

Premium PO Box Service Enhancements Terms and Conditions

This document identifies the Terms and Conditions under which the Postal Service makes certain optional PO Box services available to you. By signing this agreement, you are stating that you have read and understand this document and you agree to be bound by its terms and conditions. These services (as described above) are offered on a voluntary basis. Customers who wish to participate in these services must sign this document indicating they agree to the terms and conditions. If you do not sign this agreement, you will continue to receive regular PO Box service without the optional services.

By signing this agreement, you are confirming that you are the primary box holder (i.e. the one who signed the PS Form 1093, *PO Box Application*). All additional persons who receive mail at this box must abide by the terms and conditions as well.

Signature

By signing below, I agree to participate in the Premium PO Box services that I have marked above, and to abide by the Terms and Conditions outlined in this document, including that I am the primary box holder:

Courtney B. Weisholtz
PO Box Customer Printed Name

10/20/2020
Date

[Signature]
PO Box Customer Signature

810261
PO Box Number

Bellamy, Ashley
Postal Official Printed Name

Postal Official Signature

WOODLAND, BOCA RATON, FL 33481
Post Office Name, City, State and ZIP Code

If customer chooses to discontinue, please sign:

PO Box Customer Signature

Postal Official Signature

Privacy Act Statement: Privacy Act Statement: Your information will be used to provide additional Post Office Box services. Collection is authorized by 39 U.S.C. 401, 403, and 404. Providing the information is voluntary, but if not provided, we will be unable to provide these services to you. We do not disclose your information to third parties without your consent, except to facilitate the transaction, to act on your behalf or request, or as legally required. This includes the following limited circumstances: to a congressional office on your behalf; to financial entities regarding financial transaction issues; to a U.S. Postal Service auditor; to entities, including law enforcement, as required by law or in legal proceedings; to contractors and other entities aiding us to fulfill the service (service providers); to process servers; and to domestic government agencies if needed as part of their duties. Information concerning an individual box holder who has filed a protective court order with the postmaster will not be disclosed except pursuant to court order. For more information on our privacy policies see our privacy policy at usps.com/privacy-policy.

Holmes, Kim

From: Adam Weisholtz <kingnole@aol.com>
Sent: Friday, September 16, 2022 10:08 PM
To: Holmes, Kim; disclosure
Subject: Appeal of automatic fine - 2020 - Weisholtz
Attachments: Appeal of automatic fine - 2020 - Weisholtz.pdf; PO Box receipt & customer agreement - 10-20-2020 - Weisholtz.pdf; Weisholtz-Certified Receipt.pdf; Weisholtz-Certified Receipt2.pdf

Hello Ms. Holmes,

Attached please find my appeal form, including a detailed explanation of unusual circumstances.

I have also included 3 documents in support of my lack of notice.

Please contact me directly with any issues or concerns.

Sincerely,

Adam Weisholtz

FORM 1**STATEMENT OF
FINANCIAL INTERESTS****2020**Please print or type your name, mailing
address, agency name, and position below:

FOR OFFICE USE ONLY:

LAST NAME -- FIRST NAME -- MIDDLE NAME :

Weisholtz, Adam

MAILING ADDRESS :

604 Banyan Trail, Unit 810261

CITY :

ZIP :

COUNTY :

Boca Raton

Florida

33481

NAME OF AGENCY :

15th Circuit Judicial Nominating Commission

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

Commissioner

CHECK ONLY IF ☐ CANDIDATE OR ☐ NEW EMPLOYEE OR APPOINTEEReceived
8/05/2022

243985

PROCESSED****** THIS SECTION MUST BE COMPLETED ********DISCLOSURE PERIOD:**

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2020.

MANNER OF CALCULATING REPORTABLE INTERESTS:

FILERS HAVE THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). CHECK THE ONE YOU ARE USING (must check one):

**COMPARATIVE (PERCENTAGE) THRESHOLDS**

OR

**DOLLAR VALUE THRESHOLDS****PART A -- PRIMARY SOURCES OF INCOME** [Major sources of income to the reporting person - See instructions]

(If you have nothing to report, write "none" or "n/a")

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY
U.S. Dept of Homeland Security	333 S. Miami Ave., Ste 200, Miami, FL	government agency

PART B -- SECONDARY SOURCES OF INCOME

[Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions]

(If you have nothing to report, write "none" or "n/a")

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE
N/A			

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person - See instructions]

(If you have nothing to report, write "none" or "n/a")

N/A

You are not limited to the space on the
lines on this form. Attach additional
sheets, if necessary.**FILING INSTRUCTIONS** for when
and where to file this form are
located at the bottom of page 2.**INSTRUCTIONS** on who must file
this form and how to fill it out
begin on page 3.

PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc. - See instructions] (If you have nothing to report, write "none" or "n/a")		
TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES	
N/A		
PART E — LIABILITIES [Major debts - See instructions] (If you have nothing to report, write "none" or "n/a")		
NAME OF CREDITOR	ADDRESS OF CREDITOR	
Cross Country Mtg., LLC	1 Corporate Drive, Suite 360, Lake Zurich, IL 60047	
U.S. Dept of Education	400 Maryland Ave. SW, Washington, D.C. 20202	
PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses - See instructions] (If you have nothing to report, write "none" or "n/a")		
	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
NAME OF BUSINESS ENTITY		
ADDRESS OF BUSINESS ENTITY	N/A	N/A
PRINCIPAL BUSINESS ACTIVITY		
POSITION HELD WITH ENTITY		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS		
NATURE OF MY OWNERSHIP INTEREST		
PART G — TRAINING For elected municipal officers, appointed school superintendents, and commissioners of a community redevelopment agency created under Part III, Chapter 163 required to complete annual ethics training pursuant to section 112.3142, F.S. <input checked="" type="checkbox"/> I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.		
IF ANY OF PARTS A THROUGH G ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE <input type="checkbox"/>		
<u>SIGNATURE OF FILER:</u> Signature: <i>Adam Weisholtz</i> Date Signed: 8/5/2022		<u>CPA or ATTORNEY SIGNATURE ONLY</u> If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement: I, _____, prepared the CE Form 1 in accordance with Section 112.3145, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct. CPA/Attorney Signature: _____ Date Signed: _____
<u>FILING INSTRUCTIONS:</u> If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location. To determine what category your position falls under, see page 3 of instructions. Local officers/employees file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.) Form 1 filers who file with the Supervisor of Elections may file by mail or email. Contact your Supervisor of Elections for the mailing address or email address to use. <u>Do not email your form to the Commission on Ethics, it will be returned.</u> State officers or specified state employees who file with the Commission on Ethics may file by mail or email. To file by mail, send the completed form to P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Rd, Bldg E, Ste 200, Tallahassee, FL 32303. To file with the Commission by email, scan your completed form and any attachments as a pdf (do not use any other format), send it to CEForm1@leg.state.fl.us and retain a copy for your records. <u>Do not file by both mail and email. Choose only one filing method.</u> Form 6s will not be accepted via email. Candidates file this form together with their filing papers. MULTIPLE FILING UNNECESSARY: A candidate who files a Form 1 with a qualifying officer is not required to file with the Commission or Supervisor of Elections. WHEN TO FILE: Initially, each local officer/employee, state officer, and specified state employee must file within 30 days of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment. Candidates must file at the same time they file their qualifying papers. Thereafter, file by July 1 following each calendar year in which they hold their positions. Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does <u>not</u> relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2020.		

Mail Piece Details**Print this page****Recipient Address**

ADAM WEISHOLTZ
170 NE 2ND ST # 732
BOCA RATON, FL 33429-5031

Record / Case Number:
243985

Return Address

STATE OF FLORIDA
COMMISSION ON ETHICS
PO DRAWER 15709
TALLAHASSEE, FL 32317-5709

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000165089724
Date Created: 07/29/2021 09:59:05 AM
Mail Class: USPS First Class Mail
Special Services: Certified Mail
Return Receipt Electronic
Memo: --
Created By: Kimberly Holmes - Commission on Ethics

Signature Information

Signed For By: ADAM WEISHOLTZ
Signature Status: Available (Click Here)

*Having issues viewing the signature file?
Make sure you are using the latest version of Adobe Acrobat Reader*

Tracking Information

Mailed, July 29, 2021, 09:59:05 AM, TALLAHASSEE, FL 32317
Pre-Shipment Info Sent To Usps, Usps Awaiting Item, July 29, 2021, 12:00:00 AM
Pre-Shipment Info Sent Usps Awaits Item, July 29, 2021, 09:17:00 AM, TALLAHASSEE, FL 32317
Accepted At Usps Origin Facility, July 30, 2021, 07:29:00 PM, TALLAHASSEE, FL 32317
Origin Acceptance, July 30, 2021, 07:29:00 PM, TALLAHASSEE, FL 32317
Arrived At Usps Regional Origin Facility, July 30, 2021, 08:44:00 PM
Processed Through Usps Facility, July 30, 2021, 08:44:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301
Departed Usps Regional Facility, July 30, 2021, 11:12:00 PM
Depart Usps Facility, July 30, 2021, 11:12:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301
In Transit, Arriving On Time, July 31, 2021, 12:00:00 AM
Arrived At Usps Regional Destination Facility, August 01, 2021, 05:00:00 AM
Processed Through Usps Facility, August 01, 2021, 05:00:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
Processed Through Usps Facility, August 01, 2021, 02:46:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
Departed Usps Regional Destination Facility, August 01, 2021, 06:19:00 PM
Processed Through Usps Facility, August 01, 2021, 06:19:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
In Transit, Arriving Late, August 02, 2021, 12:00:00 AM
In Transit, Arriving Late, August 03, 2021, 12:00:00 AM
In Transit, Arriving Late, August 04, 2021, 12:00:00 AM
Forwarded, August 05, 2021, 08:58:00 AM
Arrived At Usps Regional Destination Facility, August 09, 2021, 02:51:00 PM
Processed Through Usps Facility, August 09, 2021, 02:51:00 PM, MIAMI FL DISTRIBUTION CENTER 33152
Arrived At Usps Regional Destination Facility, August 10, 2021, 08:57:00 AM
Processed Through Usps Facility, August 10, 2021, 08:57:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
Processed Through Usps Facility, August 10, 2021, 04:20:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
Departed Usps Regional Destination Facility, August 10, 2021, 05:05:00 PM
Processed Through Usps Facility, August 10, 2021, 05:05:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
Departed Usps Regional Destination Facility, August 11, 2021, 06:56:00 AM
Processed Through Usps Facility, August 11, 2021, 06:56:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
Processed Through Usps Facility, August 11, 2021, 02:37:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416

Processed Through Usps Facility, August 11, 2021, 06:11:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
Departed Usps Regional Destination Facility, August 12, 2021, 01:27:00 AM
Processed Through Usps Facility, August 12, 2021, 01:27:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
Departed Usps Regional Destination Facility, August 13, 2021, 02:44:00 AM
Processed Through Usps Facility, August 13, 2021, 02:44:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
Arrived At Post Office, August 13, 2021, 07:33:00 AM, BOCA RATON,FL 33432
Arrival At Unit, August 13, 2021, 07:33:00 AM, BOCA RATON,FL 33432
Available For Pickup, August 13, 2021, 07:44:00 AM, BOCA RATON,FL 33432
Out For Delivery, August 13, 2021, 07:44:00 AM, BOCA RATON,FL 33432
Forwarded, August 13, 2021, 08:56:00 AM, BOCA RATON,FL 33432
Arrived At Usps Regional Destination Facility, August 20, 2021, 02:09:00 PM
Processed Through Usps Facility, August 20, 2021, 02:09:00 PM, MIAMI FL DISTRIBUTION CENTER 33152
Arrived At Usps Regional Destination Facility, August 21, 2021, 02:46:00 PM
Processed Through Usps Facility, August 21, 2021, 02:46:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
Departed Usps Regional Destination Facility, August 21, 2021, 11:41:00 PM
Processed Through Usps Facility, August 21, 2021, 11:41:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
Departed Usps Regional Destination Facility, August 22, 2021, 04:40:00 PM
Processed Through Usps Facility, August 22, 2021, 04:40:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
In Transit To Next Facility, August 23, 2021, 12:00:00 AM
In Transit To Next Facility, August 24, 2021, 12:00:00 AM
In Transit To Next Facility, August 25, 2021, 12:00:00 AM
In Transit To Next Facility, August 26, 2021, 12:00:00 AM
Departed Usps Regional Destination Facility, September 04, 2021, 01:02:00 AM
Processed Through Usps Facility, September 04, 2021, 01:02:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
In Transit To Next Facility, September 05, 2021, 12:00:00 AM
In Transit To Next Facility, September 06, 2021, 12:00:00 AM
In Transit To Next Facility, September 07, 2021, 12:00:00 AM
In Transit To Next Facility, September 08, 2021, 12:00:00 AM
Arrived At Usps Regional Destination Facility, September 14, 2021, 10:08:00 AM
Processed Through Usps Facility, September 14, 2021, 10:08:00 AM, MIAMI FL DISTRIBUTION CENTER 33152
Arrived At Usps Regional Destination Facility, September 15, 2021, 01:33:00 PM
Processed Through Usps Facility, September 15, 2021, 01:33:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
Processed Through Usps Facility, September 15, 2021, 09:53:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
Departed Usps Regional Destination Facility, September 16, 2021, 12:20:00 AM
Processed Through Usps Facility, September 16, 2021, 12:20:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
Acceptance, September 16, 2021, 04:11:00 PM, BOCA RATON,FL 33432
Usps In Possession Of Item, September 16, 2021, 04:11:00 PM, BOCA RATON,FL 33432
Forward Expired, September 16, 2021, 04:11:00 PM, BOCA RATON,FL 33432
Arrived At Usps Regional Facility, September 19, 2021, 11:28:00 AM
Processed Through Usps Facility, September 19, 2021, 11:28:00 AM, MIAMI FL DISTRIBUTION CENTER 33152
Arrived At Usps Regional Facility, September 22, 2021, 08:07:00 AM
Processed Through Usps Facility, September 22, 2021, 08:07:00 AM, TALLAHASSEE FL DISTRIBUTION CEN 32301
Departed Usps Regional Facility, September 22, 2021, 06:22:00 PM
Processed Through Usps Facility, September 22, 2021, 06:22:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301
Delivered To Original Sender, September 24, 2021, 11:04:00 AM, TALLAHASSEE,FL 32308

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**BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS**

In re **Adam Weisholtz**
 15th Judicial Circuit
 Judicial Nominating Commission-15th Circuit

PID#: 243985

NOTICE OF ASSESSMENT OF AUTOMATIC FINE

The Commission on Ethics hereby gives notice of an assessment of a fine against you pursuant to Section 112.3145(8)(g), Florida Statutes, due to your failure to timely file your 2020 CE Form 1, Statement Of Financial Interests. Under the law, your 2020 CE Form 1, Statement of Financial Interests, was due by July 1, 2021. The law provided for a penalty-free grace period extending the due date to September 1, 2021. After that date, you accrued fines of \$25.00 per day for each day your financial disclosure was late, pursuant to Section 112.3145(8)(g), Florida Statutes.

Inasmuch as your 2020 CE Form 1 was filed August 5, 2022 with the Commission on Ethics, you are fined the amount of \$1500.00 (\$25.00 per day for 60 day(s) late). This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file. Unless the fine is successfully appealed, the Commission is required to investigate public officers and employees who receive the maximum \$1,500 fine, to determine whether their failure to file was willful. The penalty for willfully failing to file disclosure is removal from public office or employment.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)3., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, or delivered to Florida Commission on Ethics, 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. The appeal may take the form of a letter or you may use the appeal form included in this mailing. The appeal form also is available at the Commission's website: www.ethics.state.fl.us. Click on "Financial Disclosure" and then the link to the sample appeal form.
4. **DUE DATE:** Your appeal must be received by the Commission on Ethics on or before **October 7, 2022**. **NOTE:** Failure to timely file an appeal will constitute a waiver of your right to appeal and will result in the entry of a default order against you.
5. **UNUSUAL CIRCUMSTANCES:** An appeal must demonstrate that you submitted your CE Form 1 after the extended due date because of "unusual circumstances." "Unusual circumstances" is defined in Commission Rule 34-8.215(4), Florida Administrative Code, as "uncommon, rare, or sudden events over which the reporting individual had no control and which directly result in the failure to act in accordance with the filing requirements." Therefore, circumstances that allowed for time to take steps necessary to file on time do not constitute "unusual circumstances" that will allow the Commission to waive the fine. You have the burden to establish "unusual circumstances." Your appeal must specifically state the circumstances that led to your not filing by September 1, 2021, and must include any documentation or evidence supporting your appeal, such as:
 - a. **SICKNESS/INJURY:** a statement from attending physician, including dates and nature of the illness or injury;
 - b. **LACK OF NOTICE (WRONG ADDRESS):** documentation that you did not reside at the address to which notice was sent;

- c. **LACK OF NOTICE (ABSENCE FROM HOME):** documentation establishing the period of time of your absence covering the notification period;
- d. **CLAIM OF TIMELY FILING OF FINANCIAL DISCLOSURE:** (1) an affidavit from you attesting under oath or affirmation that you filed your financial disclosure and your recollection of when and how you filed and (2) a copy of a certified mail receipt and/or a copy of the completed form which was filed. If you have witnesses to your filing, we also will need an affidavit from each witness. NOTE: A claim of having filed the CE Form 1F for the current year does not satisfy the CE Form 1 filing requirement or excuse a late filing;
- e. **LEFT PUBLIC POSITION BEFORE DECEMBER 31, 2020:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2020; or
- f. **UNCLAIMED CERTIFIED MAIL:** if delinquency notice was addressed correctly but not received, you must explain why.
6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS

If you do not timely file an appeal or pay the assessed fine within 30 days of this Notice, a default order will be entered against you and the Commission will take the steps provided by law to collect the fine, including:

- Referral to the CFO of the Department of Financial Services, if you are a salaried state officer or employee, for withholding of a portion of your salary until the fine is satisfied; or
- Referral to your agency's governing body for withholding of a portion of your salary until the fine is satisfied;
- Referral to a collection agency, which can seek garnishment of your wages; and/or
- An additional civil penalty, not limited by this automatic fine, may be imposed if your disclosure statement is filed more than 60 days late and a complaint is filed against you pursuant to Section 112.324, Florida Statutes.

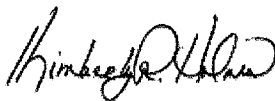
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

I certify that a copy of the foregoing Notice of Assessment of Automatic Fine was furnished to:

**Mr Adam Weisholtz
604 Banyan Trail, Unit 810261
Boca Raton, FL 33481**

by Certified Mail on this Wednesday, September 07, 2022.



KIMBERLY R. HOLMES
Program Administrator

Florida Commission on Ethics
P. O. Drawer 15709
Tallahassee, FL 32317-5709

-or-

Florida Commission on Ethics
325 John Knox Road, Building E, Ste. 200
Tallahassee, FL 32303

Tel.: (850) 488-7864

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us



September 24, 2021



Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0165 0897 24.

Item Details

Status:	Delivered, To Original Sender
Status Date / Time:	September 24, 2021, 11:04 am
Location:	TALLAHASSEE, FL 32308
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	ADAM WEISHOLTZ

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

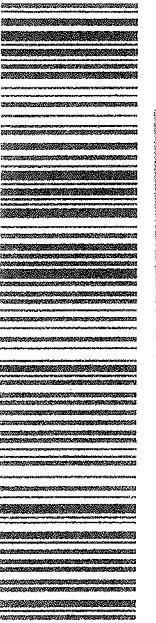
Reference ID: 92148901066154000165089724
243985
ADAM WEISHOLTZ
170 NE 2nd St # 732
Boca Raton, FL 33429-5031



STATE OF FLORIDA
COMMISSION ON ETHICS
PO DRAWER 15709
TALLAHASSEE, FL 32317-5709

RETURN RECEIPT (ELECTRONIC)

9214 8901 0661 5400 0165 0897 24



CERTIFIED MAIL

Postnet
01007097
0006.061
ZIP 32308
011541072167

FLORIDA
COMMISSION ON ETHICS

SEP 24 2021

RECEIVED

243985
ADAM WEISHOLTZ
170 NE 2ND ST # 732
BOCA RATON, FL 33429-5031
1033

URGENT - Open
Immediately

NOTE

321 REG

0009/15/21

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

EC: 32317570909

*1687-08854-29-22





Financial Disclosure Management System

THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 243985 - Mr Adam Weisholtz

Filer Information

Org Membership

Forms

Communications

Fines and Appeals >

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Filer Flags

[2000](#) [2001](#) [2002](#) [2003](#) [2004](#)
[2005](#) [2006](#) [2007](#) [2008](#) [2009](#)
[2010](#) [2011](#) [2012](#) [2013](#) [2014](#)
[2015](#) [2016](#) [2017](#) [2018](#) [2019](#)
[2020\(\\$\)](#) [2021](#) [2022](#)

<<2022 Form Year

Status

Filing: INACTIVE

Fine: No Fine

Flags

Public Address

Filing Extensions

Indefinite: None

Temporary:

None

Eligible for Fines

[Update Flags](#)

The filer has fines for: [2021 \(Appeal\)](#)

2021 Fines and Appeals

Form Year 2020 Filed Forms

Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
08/05/22	Form 1	Yes	Yes	COE	HOLMESK on 08/05/2022	

2021 Fine Information

[Update Fine Information](#)

[Assign Agency Contact](#)

Fine Balance	Fine Status	Fine Date	Original Assessment	Fine Amount	Last Payment Date	Payment Plan Start Date	Payment Plan Amount
\$1,500.00	Appeal	9/7/2022	\$1,500.00	\$1,500.00			

Fine Address 604 Banyan Trail, Unit 810261 Boca Raton FL 33481

Org/Suborg Judicial Nominating Commission-15th Circuit-15th Judicial Circuit

2021 Fine Payment History

Date Posted	Description	Amount	Method	Payment ID	Comments
9/7/2022	Fine Levied	+ \$1,500.00			Fined \$1500.00

Current Balance: \$1,500.00

2021 Fine Year Event

Chronology

[Invalidate Transaction](#)

 Add a New Filer



 Jump To A Filer

PID:

 Quick Filer Search


First Name:

Last Name:

 Date	Type	Description	Reference
 05/26/2021	Letter Sent	Form 1 Official List - Form 1 Official Filers List	Print Queue: <u>5/26/2021 4:46 PM</u> Printing Confirmed: 5/26/2021 4:46 PM


Letter Sent To:

Mr Adam Weisholtz
170 NE 2nd Street #732
Boca Raton, FL 33429

 07/30/2021	Letter Sent	Certified Letter Sent	Print Queue: <u>7/30/2021</u> Printing Confirmed: 7/30/2021
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Letter Sent To:

Mr Adam Weisholtz
170 NE 2nd Street #732
Boca Raton, FL 33429

 08/19/2021	Postcard Sent	Courtesy Postcard Reminder	Print Queue: <u>8/19/2021</u> Printing Confirmed: 8/19/2021
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Letter Sent To:

Mr Adam Weisholtz
170 NE 2nd Street #732
Boca Raton, FL 33429

 09/8/2021	Letter Sent	Courtesy Notice of Fines Accruing	Print Queue: <u>9/8/2021</u> Printing Confirmed: 9/8/2021
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Letter Sent To:

Mr Adam Weisholtz
170 NE 2nd Street #732
Boca Raton, FL 33429

09/24/2021 Filer Certified July notice to file Keyana Green
Communication: returned by USPS as not

Other deliverable as addressed

08/5/2022 Form Received Form 1 Received, Signed Form 1 Received by Kimberly Holmes at COE

Form Received By: Kimberly Holmes
Filing Location: COE
Record Created By: Kimberly Holmes on 08/05/2022

09/7/2022 Fine Levied Fined \$1500.00 Journal: 9/7/2022 5:41 PM

09/7/2022 Notice of Initial Fine Notice Journal: 9/7/2022 5:41 PM
Assessed Fine

09/7/2022 Alternate Fine Journal: 9/7/2022 5:54 PM
Mailing Address

09/7/2022 Letter Sent Notice of Assessed Fine - Print Queue:
Filer 1st Fine Letter 9/7/2022
Printing Confirmed: 9/7/2022

Letter Sent To:
Mr Adam Weisholtz
170 NE 2nd Street #732
Boca Raton, FL 33429

09/19/2022 Fine Appeal FD 21-001 Journal: 9/19/2022 9:28 AM

2021 Fine Appeal – FD 21-001	Update Appeal	Withdraw Appeal
	Assign Attorney	Request More Info
	Record Appeal Outcome	
Appeal Status: Active Appeal Receipt Date: 09/19/2022 Timely Filed: Yes Print Appeal Letter: Yes Hearing Requested: Yes	A Hearing has been requested but not yet scheduled. Schedule a Fine Appeal Hearing	

Appeal Reason:

Lack of
Notification

Appeal Notes:

Appeal Number:

FD 21-001

Appeal Analyst

Assigned:

Final Order

Number:

Final Order Date: