

BEFORE THE COLORADO INDEPENDENT ETHICS COMMISSION

STATE OF COLORADO

Case No. 10-06

ORDER

BERNIE BUESCHER, Colorado Secretary of State,

Complainant,

v.

ANDREW WHITFIELD,

Respondent.

UPON stipulation of the parties and the Independent Ethics Commission being advised in the matter, the following Order is entered:

1. The Independent Ethics Commission finds that there is a factual basis for adopting this stipulation as an order of the Commission.
2. Section 24-18-108(2)(d) and 24-50-117, C.R.S. (2010) are strict liability statutes which do not require a culpable mental state. Respondent admits the factual allegations in paragraphs 1-13 of the Verified Complaint. Respondent Whitfield further admits that his actions constituted violations of sections 24-18-108(2)(d) and 24-50-117 without any culpable mental state.
3. Respondent Whitfield shall pay a penalty in the sum of \$400 to the State of Colorado.
4. Respondent Whitfield shall relinquish the existing certification for Colorado Notary Solutions. Simultaneously, the Secretary of State shall issue a new certification for Colorado Notary Solutions. The new certification shall include the next available certification number. There shall be no time gap between the certifications.
5. Respondent Whitfield shall remove from Colorado Notary Solutions' webpage the phrase, "Prior to founding Colorado Notary Solutions."

Dated: _____

Approved as to form:

Attorney for Complainant

Attorney for Respondent

AG File:

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