

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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BOARD MEMBERS:
James Albert, Chair
Janet Carl, Vice Chair
Gerald Sullivan
Betsy Roe
John Walsh
Patricia Harper

BEFORE THE IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

Pursuant to Chapter 17A and Chapter 68B

IN THE MATTER OF:)

PEGGY SMALLEY,
In Her Capacity as Chair for Iowa Fifth
District Democratic Central Committee,
RESPONDENT.

)
) Case No. 2008 IECDB 02
)
) MOTION to DISMISS
)
)
)

A Statement of Charges and Notice of Hearing was originally served alleging the failure to file a January 19, 2007 report and a copy of the Committee's bank statement. Prior to hearing, evidence was provided that both the report and bank statement were filed. It was determined that the actual report in question was the July 2007 report. In addition, that an amended Statement of Organization had not been filed notify the Board of a change in officers as required by Iowa Code section 68A.201(3). Based on this evidence, Board Counsel seeks the following:

1. That Case No. 2008 IECDB 02 be dismissed and the record reflect that Ms. Smalley properly and timely filed the January 2007 report and bank statement.
2. That no sanction be assessed Ms. Smalley for the late-filed Statement of Organization.
3. Any communications and Board actions concerning the late-filed July 2007 report be conducted with the Chair of record as disclosed to the Ethics Board in January of 2008.

Wherefore, Board Counsel respectfully prays that said motion be granted.



W. Charles Smithson
Iowa Ethics & Campaign Disclosure Bd
510 E. 12th, Suite 1A
Des Moines, Iowa 50319

CERTIFICATE OF SERVICE

The above signed certifies that this document was sent on January 7, 2008, to:

Gerald Sullivan, Presiding Officer
Via email

Robert Nelson, Attorney for Respondent
Via email