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## Randy Fine Hearing

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Robert Burns <rwburns3rd@gmail.com>

Wed, Sep 20, 2023 at 2:03 PM

To: elizabeth.miller@myfloridalegal.com

Cc: james.peterson@doah.state.fl.us

Bcc: 

Ms. Miller,

I am reaching out to express my concerns regarding the timing of the pending administrative hearing, DOAH Case No.: 23-2760EC, Complaint No: 22-079, concerning Randall Fine.

I have closely monitored the filings and orders in this case and am led to believe that the respondent may be intentionally delaying the proceedings. I suspect this might be a strategy to invoke Fla. Stat. § 11.111, rendering any rulings from this hearing moot.

**11.111 Continuance of certain causes for term of Legislature and period of time prior and subsequent thereto and committee workdays.**—*Any proceeding before any court, municipality, or agency of government of this state shall stand continued, without the continuance being charged against any party, during any session of the Legislature and for a period of time 15 days prior to any session of the Legislature and 15 days subsequent to the conclusion of any session of the Legislature, and during any period of required committee work and for a period of time 1 day prior and 1 day subsequent thereto, when either attorney representing the litigants is a legislator or when a member of the Legislature is a party or witness or is scheduled to appear before any municipal government, administrative board, or agency, when notice to that effect is given to the convening authority by such member.*

It's worth noting that Mr. Fine has employed similar tactics in the past, as evidenced by the attached motion. By perpetuating these delays, he retains his influential leadership roles within the House of Representatives, most notably as the Chair of the Health and Human Services Committee. This also allows him to maintain his other leadership assignments during the forthcoming legislative session.

Considering the probable cause findings of abuse of office, any further delay could enable Representative Fine to perpetuate this abuse, given the significant roles he currently occupies. His past actions suggest that this isn't just a possibility but aligns with his established modus operandi.

Furthermore, I understand that he is presently engaged in the contentious presidential search for FAU. This search has been indefinitely postponed after he raised concerns with the Board of Governors upon not being shortlisted.


The outcomes of these proceedings could significantly influence the selection process for such a pivotal role. I urge your office to stand firm against any further delays or continuances. This is crucial to prevent the potential abuse of office and power by Representative Fine during the upcoming legislative session, especially concerning funding for the municipalities in his district. His past actions, as detailed in the complaint and others, have proven detrimental to the residents of Brevard County, seemingly holding local elected officials at his mercy.


Post this session, any sanctions the House of Representatives might impose will become inconsequential, given his impending term end. By that time, he might have already secured the position at FAU, leading to his likely resignation. The notice of appearance filed by George Levesque on behalf of Representative Fine is of further concern to any realistic expectations of punishment from the House of Representatives as Levesque served as the General Counsel for the same body as well advisor to the Florida Speaker of the House.

Respectfully,

Robert Burns

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