



Palm Beach County Commission on Ethics

Commissioners
Manuel Farach, Chair
Robin N. Fiore, Vice Chair
Ronald E. Harbison
Daniel T. Galo
Patricia L. Archer

Interim Executive Director
Megan C. Rogers

In Re: James Cherof, Contract City Attorney
City of Boynton Beach

C13-006

PUBLIC REPORT AND FINAL ORDER OF DISMISSAL

COMPLAINANT, Davis Floering, filed a **COMPLAINT** on February 13, 2013 alleging a possible ethics violation involving **RESPONDENT**, James Cherof, Contract City Attorney, City of Boynton Beach.

The **COMPLAINT** alleges **RESPONDENT** corruptly misused his official position by failing to timely make available to him for examination and/or copying, a video of an interview of Sarah Marquez-Rodriguez, wife of then Mayor Jose Rodriguez, and in so doing acted in a corrupt manner, in violation of Section 2-443(b), *Corrupt misuse of official position*, of the Palm Beach County Code of Ethics.

On February 25, 2013, after reviewing the **COMPLAINT**, supporting affidavit and memorandum of inquiry, the **COMPLAINT** was determined by staff to be **LEGALLY INSUFFICIENT**, and was presented to the Commission on Ethics on March 7, 2013 with a recommendation of dismissal as **LEGALLY INSUFFICIENT**.

The Commission on Ethics reviewed the **COMPLAINT** and memorandum of inquiry and determined that there is no allegation based on personal knowledge provided by **COMPLAINANT**, or information known or uncovered by staff inquiry to indicate that **RESPONDENT** acted in violation of the Code of Ethics. Therefore, the Commission has determined that the allegations made by **COMPLAINANT** against **RESPONDENT**, James Cherof, do not constitute a violation of the Code of Ethics and **DISMISSED** the **COMPLAINT** on March 7, 2013, due to **NO LEGAL SUFFICIENCY**.


Therefore it is:

ORDERED AND ADJUDGED THAT the **COMPLAINT** against **RESPONDENT**, James Cherof, is hereby **DISMISSED**.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on March 7, 2013.

Palm Beach County Commission on Ethics

By:


Robin N. Fiore, Vice Chair