

STATE OF FLORIDA
CRIMINAL JUSTICE STANDARDS AND TRAINING
COMMISSION

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

Petitioner,

vs.

CASE NO. 40933

Michelle C. Smith,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Department of Law Enforcement, hereinafter referred to as the Petitioner, files this Administrative Complaint against the Respondent, Michelle C. Smith. The Petitioner seeks to impose disciplinary action upon the referenced individual based on the following allegations:

1. Respondent was certified by the Criminal Justice Standards and Training Commission on September 23, 2014 and was issued Law Enforcement Certificate Number 318974.

2. On or about September 8, 2016, the Respondent, Michelle C. Smith, did unlawfully and knowingly discharge a firearm in a public place or on or over the right-of-way of a paved public road, highway, or street or any occupied premises.

3. The actions of the Respondent did violate the provisions of Section 790.15 or any lesser included offenses, Section 943.1395(7), Florida Statutes and Rule 11B-27.0011(4)(b), Florida Administrative Code, in that Respondent has failed to maintain the qualifications established in Section 943.13(7), Florida Statutes, which require that a law enforcement officer in the State of Florida have good moral character.

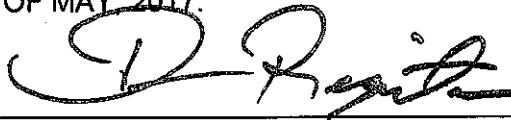
4. This Administrative Complaint is issued pursuant to Sections 120.60 and 943.1395(7), Florida Statutes and Rule 11B-27.004(4), Florida Administrative Code. Any proceedings concerning this Complaint shall be conducted pursuant to Sections 120.569 and

120.57, Florida Statutes, and Chapters 11B-27, 28-106, and 28-107, Florida Administrative Code. Mediation is not available under Section 120.573, Florida Statutes.

WHEREFORE, it is alleged that the Respondent, Michelle C. Smith, is guilty of violating Sections 943.1395(7) and 943.13(7), Florida Statutes and Rule 11B-27.0011(4)(b), Florida Administrative Code.

NOW, THEREFORE, the Petitioner hereby complains against Michelle C. Smith and alleges that an appropriate penalty, as provided in Section 943.1395(7), Florida Statutes, should be imposed for the reasons set forth above and in accordance with the Election of Rights form (to which is attached an Explanation of Rights form) attached hereto and incorporated herein.

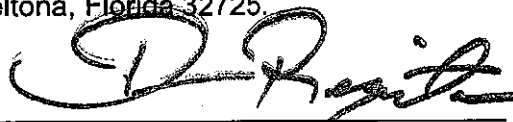
SIGNED THIS 15th DAY OF MAY, 2017.



DEAN REGISTER, Director
Criminal Justice Professionalism

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been served pursuant to Section 120.569 and Section 120.60, Florida Statutes, this 15th day of May, 2017, to Michelle C. Smith, at 1424 Meadowlark Drive, Deltona, Florida 32725.



DEAN REGISTER, Director

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cc: Daytona Beach Police Department