CASE JOURNAL

Date/ Reviewer	Event
_____	Notary File Opened: Application Renewal Complaint
_____	Application/ Renewal Status: Approved Denied

SWORN RESPONSE OF NOTARY PUBLIC

STATE OF FLORIDA
COUNTY OF Orange

DATE March 25, 2014

As to allegation 1: Please see attached memorandum. - Entitled "Attachment 1"

As to allegation 2: Please see attached memorandum. - Entitled "Attachment 1"

Use additional pages if necessary.

Under penalties of perjury, I declare that I have read the foregoing response and that the facts stated in it are true.

H. [signature]
(Signature of Respondent)

Address: P.O. Box 2135
Alachua, FL 32616

H. Bryan Boukari
(Printed name of Respondent)

Phone: 352-262-4357

Sworn to and subscribed before me this 25th day of March, 2014, by H. Bryan Boukari

NOTARY PUBLIC STATE OF FLORIDA
Bonded thru Notary Public Underwriters
#EE 068051
MY COMMISSION EXPIRES January 30, 2015
ROBERT MINARCIN

Name of Notary Public:

Personally Known ✓ OR Produced Identification _____

Type of Identification Produced _____

(Revised 10/20/09)

Attachment 1

ALACHUA COUNTY TODAY

PO Box 2135
14804 Main Street
Suite 200
Alachua, FL 32616

Florida's No. 1 Weekly Newspaper – 2002-2003 *Florida Press Association*

March 25, 2014

Erin Turper, Notary Coordinator
Office of the Governor
Notary Section, 209 Capitol
Tallahassee, FL 32399-0001

RE: Complaint of Notary Misconduct

Dear Ms. Turper:

This memorandum serves as my response to the alleged violations noted in your letter dated March 6, 2014.

As a point of information, my commission number EE 097970 expires on May 26, 2015.

Allegation 1: The allegation by Ms. Sylvia K. Anglen that I have violated Fla. Stat. §117.107(11) (2013) is false. Ms. Anglen contends (1) that I have notarized the signature of my father and (2) that my father is Robert Boukari. Both of these contentions are false. (1) I have never notarized the signature of my father. (2) Robert Boukari is not my father, as he is in fact my brother. Since I have never notarized the signature of my father, it stands to reason that with relation to the November 7 and November 14, 2013 affidavits, I did not violate the aforementioned statute.

Allegation 2: The allegation that I failed to specify the method by which I identified the signing party in the jurat of the accompanying affidavit was not a violation raised by Ms. Anglen. Rather, the allegation appears to have been generated by your office. Your March 6, 2014 letter cited Fla. Stat. §117.05(4)(f) (2013) as the applicable law here. The confusion appears to arise from incorporation of the language found in §117.05(13)(b). I recognize that the statutory language supports the proposition that the jurat or certificate of acknowledgement should specify the type of identification being relied upon by the notary public. It was my interpretation that it was sufficient to specify the signer was personally known to me or that I had relied upon any one of the methods of identification as listed in §117.05(5)(b)(2). Thus, in the affidavits, it was specified that I knew the signer or relied specifically on the production of a drivers license as identification. To clear up any confusion related to this matter, my office will re-issue the affidavits specifying just one method of identification of the signer and henceforth correct our form affidavit accordingly.

Thank you for your time and effort in reviewing and resolving this matter. If it should be necessary for me to provide additional information, please feel free contact me.

Sincerely,

H. Bryan Boukari
Publisher

Phone: 386.462.3355
Fax: 386.462.4569

Member of the Florida Press Association

www.AlachuaCountyToday.com
Email: editor@alachuatoday.com

UPS Internet Shipping: View/Print Label

1. **Ensure there are no other shipping or tracking labels attached to your package.** Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.

2. **Fold the printed sheet containing the label at the line so that the entire shipping label is visible. Place the label on a single side of the package and cover it completely with clear plastic shipping tape. Do not cover any seams or closures on the package with the label.** Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

3. **GETTING YOUR SHIPMENT TO UPS**
   UPS locations include the UPS Store®, UPS drop boxes, UPS customer centers, authorized retail outlets and UPS drivers.
   Schedule a same day or future day Pickup to have a UPS driver pickup all of your Internet Shipping packages.
   Hand the package to any UPS driver in your area.
   Take your package to any location of The UPS Store®, UPS Drop Box, UPS Customer Center, UPS Alliances (Office Depot® or Staples®) or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the 'Find Locations' Quick link at ups.com.

   Customers with a Daily Pickup
   Your driver will pickup your shipment(s) as usual.

FOLD HERE

BRYAN BOUKARI
386-462-3355 9503
ALACHUA COUNTY TODAY, INC.
14804 MAIN ST
ALACHUA FL 32615

1 LBS 1 OF 1

SHIP TO:
ERIN TURPER, NOTARY COORDINATOR
OFFICE OF THE GOV., NOTARY SECTION
209 CAPITOL
TALLAHASSEE FL 32399-7021

FL 323 0-01

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TRACKING #: 1Z 0T8 428 03 9453 5710

BILLING: P/P

Reference#1: 0
Reference#2: 0

UIS 16.1.04. WNTNV50 48.0A 01/2014

RECEIVED
MAR 26 2014
Governor's Legal Office

The Governor's Office Notary Section Internet Complaint Form

Please carefully review this complaint form once you have included all information. You must include a copy of the improperly notarized document along with the complaint form.

Your Name: Sylvia K. Anglen
Address: 2751 NW 156th Ave
City: Gainesville State: FL
Telephone: 352 339.5300 Zip Code: 32609

What is the name, commission number, and expiration date of the notary public that is the subject of this complaint?

Notary's Name: H. Bryan Boukari
Commission #: EE 097970
Expiration Date: MAY 26, 2015

DESCRIBE YOUR COMPLAINT, PROVIDE FACTS OF ALLEGED MISCONDUCT AND A COPY OF THE IMPROPERLY NOTARIZED DOCUMENT. (Please do not write on the back of this form. You may use a separate sheet if necessary. **Must be typewritten or clearly printed**.)

Violated 117.107 (11) by Notarizing the signature of his father, Robert Boukari

Robert Boukari on 11/14/2013
Robert Boukari on 11/7/2013

Robert Boukari is the Manager of Alachua County Today, the publication used to advertise Legals for the City of Alachua, of which Adam Boukari is Asst City MANAGER, & Ben Boukari, City Commissioner.

An audit of his journal is requested, and his Commission terminated.

I affirm that I have provided the above information completely and truthfully to the best of my knowledge.

Signature: Sylvia K. Anglen Date: February 11, 2014

RETURN TO: OFFICE OF THE GOVERNOR
NOTARY SECTION, 209 CAPITOL
TALLAHASSEE, FL 32399-0001

ALACHUA COUNTY TODAY

Published Weekly

Alachua, Alachua County, FLORIDA

STATE OF FLORIDA

COUNTY OF ALACHUA:

Before the undersigned authority personally appeared **ROBERT BOUKARI**, who on oath says that he (she) is the Manager of *Alachua County Today*, a weekly newspaper published at Alachua in Alachua County, Florida; that the attached copy of advertisement, being **PUBLIC NOTICE - NOTICE OF VACANCIES**, was published in said newspaper in the issues of **November 07, 2013.**

Affiant further says that *Alachua County Today* is a newspaper published at Alachua, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, Florida, each week and has been entered as periodicals matter at the post office in Alachua, in said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he (she) has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this **7th day of November, 2013** by **Robert Boukari**, who is personally known to me or who has produced a drivers license as identification.

(Signature of Affiant)

(Signature of Notary Public)

H. BRYAN BOUKARI
MY COMMISSION # EE 097970
EXPIRES: May 26, 2015
Bonded Thru Budget Notary Services

ALACHUA COUNTY TODAY

Published Weekly

Alachua, Alachua County, FLORIDA

STATE OF FLORIDA

COUNTY OF ALACHUA:

Before the undersigned authority personally appeared **ROBERT BOUKARI**, who on oath says that he (she) is the Manager of *Alachua County Today*, a weekly newspaper published at Alachua in Alachua County, Florida; that the attached copy of advertisement, being **PUBLIC NOTICE - NOTICE OF VACANCIES,** was published in said newspaper in the issues of **November 14, 2013.**

Affiant further says that *Alachua County Today* is a newspaper published at Alachua, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, Florida, each week and has been entered as periodicals matter at the post office in Alachua, in said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he (she) has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this **14th day of November, 2013** by **Robert Boukari**, who is personally known to me or who has produced a drivers license as identification.

(Signature of Affiant)

(Signature of Notary Public)

SHARYAN BOUKARI
MY COMMISSION # EE 097970
EXPIRES: May 26, 2015
Bonded Thru Budget Notary Services

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(800)955-8771 (TDD)
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nty Today - November
13)

City of ALACHUA

SENIOR RESOURCES ADVISORY BOARD

NOTICE OF VACANCIES

Date of Notice: November 6, 2013

The City of Alachua is accepting applications for two (2) appointments to the *Senior Resources Advisory Board (SRAB)*. The SRAB is the advisory body to the Alachua City Commission for the purpose of providing the Commission with information on all issues of importance to senior citizens in our community. It is a five (5) member board that will meet at least quarterly at City Hall. The applicant(s) may be a resident of the City of Alachua or the greater Alachua area and will serve a three (3) year term.

Applications may be obtained in person at Alachua City Hall, 15100 NW 142nd Terrace, Monday through Thursday, between the hours of 7:30 AM to 6:00 PM. For electronic applications, visit the City website at

www.cityofalachua.com

Completed applications must be received no later than 6:00 p.m. on December 5, 2013. Applications may be submitted in person at City Hall or mail to City of Alachua, ATTN: Grants Specialist, P.O. Box 9, Alachua, FL, 32616-0009.

For more information or to have an application mailed to you, please call 386-418-6131.

(Published: Alachua County Today - Nov. 14, 2013)

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-488-7146
850-487-0801 fax

RICK SCOTT
GOVERNOR

April 21, 2014

Mr. Bryan H. Boukari
P.O. Box 2135
Alachua, Florida 32616

RE: Conclusion of Investigation of Notary Misconduct

Dear Mr. Boukari:

Thank you for your cooperation with the investigation conducted by the Notary Section of the Executive Office of the Governor regarding the complaint of misconduct filed by Ms. Sylvia K. Anglen.

After reviewing the complaint, the challenged notarized instruments, and your sworn response, this Office has confirmed the following violation of the laws governing Florida notaries public:

- You failed to specify the method by which you identified the signing party in the jurat of the document. "The jurat or certificate of acknowledgment shall contain the following elements: [...] The specific type of identification the notary public is relying upon in identifying the signer, either based on personal knowledge or satisfactory evidence specified in subsection (5)." Fla. Stat. 117.05(4)(f). Please note, simply including both options in the jurat is insufficient to satisfy this requirement; you must designate the specific method by which you identified the signing party.

Regarding the reported notarization of the signature of Robert Boukari, this Office determined that the signatory was not one of the specified relations prohibited by Section 117.107(11), Florida Statutes.

Although you declared in your sworn statement that the violation noted above was an inadvertent mistake, the act of notarizing an instrument has legal consequences that demand strict adherence to the statutory requirements for notarizations by a notary public. As public officers, notaries are expected to know and remain in compliance with the duties, responsibilities, limitations, and powers of their office. The failure to abide by those statutory requirements constitutes a neglect of duty, for which the

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Governor may issue an executive order of suspension, pursuant to Section 117.01(4), Florida Statutes.

In light of the violation confirmed above, please allow this to serve as a formal letter of caution, advising you to practice better adherence to the laws governing your performance as a Florida notary public. Further disciplinary action is not warranted at this time, but this letter will remain in your commission file for review in the event future complaints of misconduct are filed against you. At this time, you remain actively commissioned and entitled to the privileges and emoluments that accompany your office as a notary public.

If you have any questions, please do not hesitate to contact this Office at (850) 717-9325, or by email at NOTARY@eog.myflorida.com.

Sincerely,

Erin Tupper

Erin Tupper
Notary Coordinator

cc: Ms. Sylvia K. Anglen, Complainant

INVESTIGATIVE FINDINGS

Reviewer: Erin

Complainant: Sylvia K. Anglen

Notary: Buyan H. Boukari

Years as Notary:
Prior Complaints:

Complaint & Evidence:

- notarized for father on Nov. 7 & Nov. 14 of 2013
- did not state personally known vs. satisfactory evidence (listing both is not sufficient)

Notary Response & Evidence:

- states Robert Boukari is not his father and that he is his brother
- states upon his review of the statutes he does not see a clear viol. of having to include personally known vs. satisfactory evidence but his office will re-issue the affidavit w/ just one method of identification

Complainant Reply & Evidence (if any):

n/a

Confirmed Violation(s) & Supporting Evidence:

Recommended Action:

Hr. of caution!

def of personally known vs. satisfactory evidence

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-488-7146
850-487-0801 fax

RICK SCOTT
GOVERNOR

March 6, 2014

Mr. H. Bryan Boukari
Alachua Today, Inc.
14804 Main Street
Alachua, Florida 32616

RE: Complaint of Notary Misconduct; Response Due By **March 27, 2014**

Dear Mr. Boukari:

The Notary Section of the Executive Office of the Governor has received a complaint of notary misconduct filed against you by Ms. Sylvia K. Anglen, a copy of which is enclosed for your reference. This Office is now conducting an investigation of the reported notary misconduct cited below. Your full and prompt cooperation with this investigation is a required component of your commission as a Florida notary public.

Using the enclosed form, please provide a sworn written response to each of the matters bulleted below **within twenty (20) days** of the date of this letter. Please respond with specificity, and include any supporting documents or materials relevant to the investigation of the following alleged violations of the notary statutes:

- You appear to have notarized the signature of your father, Robert Boukari, on the enclosed affidavits, dated November 7 and November 14, 2013. "A notary public may not notarize a signature on a document if the person whose signature is to be notarized is the spouse, son, daughter, mother, or father of the notary public." Fla. Stat. §117.107(11) (2013) (emphasis added).

- You failed to specify the method by which you identified the signing party in the jurat of the document. "The jurat or certificate of acknowledgment shall contain the following elements: [...] The specific type of identification the notary public is relying upon in identifying the signer, either based on personal knowledge or satisfactory evidence specified in subsection (5)." Fla.

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Stat. 117.05(4)(F). Please note, simply including both options in the jurat is insufficient to satisfy this requirement; you must designate the specific method by which you identified the signing party.

Failure to fully and promptly cooperate with the investigation conducted by this Office will result in disciplinary action taken, up to and including the suspension of your notary commission.

Thank you for your prompt response to this matter.

Sincerely,

Erin Tupper

Erin Tupper
Notary Coordinator

Enclosure.
cc: Sylvia K. Anglen, Complainant

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

RICK SCOTT
GOVERNOR

www.flgov.com
850-488-7146
850-487-0801 fax

March 6, 2014

Ms. Sylvia K. Anglen
2751 Northwest 156th Avenue
Gainesville, Florida 32609

Dear Ms. Anglen:

The Notary Section of the Executive Office of the Governor has received your complaint of reported notary misconduct filed against Mr. H. Bryan Boukari. This Office takes allegations of notary misconduct seriously, and relies upon vigilant citizens, like you, to ensure Florida notaries public adhere to the responsibilities and prohibitions of their office. However, the jurisdiction of this Office is limited to the laws governing notary conduct, as defined in Chapter 117, Florida Statutes, and we are not able to file criminal charges or make a document null and void.

Based upon your complaint and the supporting documentation, this Office has initiated an investigation of the reported notary misconduct. The investigation pertains to improperly notarizing his father's signature, and the failure to include a proper jurat on the notarized instruments. This Office will notify you of the status of the investigation as it progresses, and of any disciplinary action taken against the notary public.

Regarding your requested audit of Mr. Boukari's notary journal, please note Florida notaries public are not currently required by law to keep and maintain a journal log of notarizations performed.

Thank you for filing this complaint of reported notary misconduct. If you have any questions, please do not hesitate to contact us at (850) 717-9325, or by email at NOTARY@eog.myflorida.com.

Sincerely,

Erin Tupper

Erin Tupper
Notary Coordinator