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May 7, 2013

Mr. Elton E. McCabe
275 Pemaco Lane
Uniondale, New York 11553

NOTICE OF DELINQUENCY

The New York State Joint Commission on Public Ethics (the "Commission") has received information indicating that you were a candidate for public office. As such, pursuant to Section 73-a(2)(a) of the Public Officers Law ("POL"), you were required to file an Annual Statement of Financial Disclosure ("Statement") within ten days of commencing your candidacy. This statutory requirement is separate and distinct from campaign disclosure requirements that may or may not have been required under State Election Law.

Commission records indicate that you have failed to file the required Statement, in violation of the law. Pursuant to the authority granted by Executive Law Sections 94(11) and (12), the Commission sent you a confidential Notice of Failure to File on August 14, 2012, requesting you file the Statement on or before August 28, 2012. Commission records indicate that you still have not filed the Statement.

You must comply with the foregoing by May 22, 2013. If you fail to comply by May 22, 2013, you may, after additional notice and a hearing, be subject to a civil penalty of an amount up to $40,000. If the Commission determines to proceed to seek a civil penalty, you will receive a Notice of Hearing in accordance with the Commission rules governing adjudicatory proceedings, set forth in 19 NYCRR Part 941. In addition, the Commission may, in lieu of a civil penalty, refer the matter for criminal prosecution.

This notice is available for public inspection and copying pursuant to Section 94(19)(a)(2).

You may download a copy of the Statement from the Legislative Ethics Commission's website at: http://legethics.com/public-documents/annual-statement-financial-disclosure-calendar-year-2012-long-form-0, and a copy of the instructions at: http://legethics.com/public-documents/guide-annual-statement-financial-disclosure-calendar-year-2012.

If, for any reason, you believe this Notice has been sent to you in error, please notify the Commission immediately. You may reach us between the hours of 8:30 am to 4:30 pm at (518) 408-3976. Thank you for your cooperation.

NYS JOINT COMMISSION ON PUBLIC ETHICS