

**BEFORE THE GEORGIA GOVERNMENT TRANSPARENCY AND
CAMPAIGN FINANCE COMMISSION
STATE OF GEORGIA**

IN THE MATTER OF:

HERBERT LEHMAN FRANKLIN, III

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CFC CASE NO.: 22-0130-C

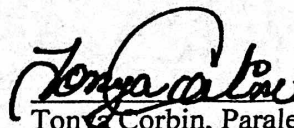
CERTIFICATE OF SERVICE

This will certify that I have, this day, delivered and served a true and exact copy of the foregoing Notice of Complaint upon the following by placing a true and exact copy of same in the United State mail with adequate postage affixed thereto and addressed as follows:

Herbert Lehman Franklin, III



This 21ST day of September 2022.

A handwritten signature in black ink, appearing to read 'Tonya Corbin'.

Tonya Corbin, Paralegal

Georgia Government Transparency and
Campaign Finance Commission
200 Piedmont Ave, SE
Suite 1416 – West Tower
Atlanta, GA 30334
(404) 463-1980
(404) 463-1988 facsimile
lcorbin@ethics.ga.gov

COMPLAINT FORM RECEIVED

Alleging a Violation of the Georgia Government Transparency and Campaign Finance Act

JURISDICTION: This office has jurisdiction ONLY in matters involving financial disclosure, campaign finance, and lobbyist disclosure. O.C.G.A. §45-1-6 covers state vendor disclosure law as outlined in the Campaign Finance Act in O.C.G.A. Title 21-5 et seq and O.C.G.A. §45-1-6 covering state vendor disclosure law. Please ensure that your complaint is within the Commission's jurisdiction.

Mail or hand delivery original signed/notarized form and attachments to above address.

22-0130-C

I. PERSON BRINGING COMPLAINT = COMPLAINANT:

Name:			
Address:			
City:	ate: GA	ip: 30450	
Telephone:	mail (optional)		

II. PARTY AGAINST WHOM COMPLAINT IS BROUGHT = RESPONDENT:

Name:	H. Lehman Franklin, III		
Address:			
City:	GA	County: Bulloch	Zip: 30415
Telephone:			

Title of office held or sought: State Representative, HD 160
(if applicable)

III. STATEMENT OF FACTS: See attached document

State the actions of the Respondent upon which your complaint is based along with an ALLEGATION that such facts constitute one or more violations of the Georgia Government Transparency and Campaign Finance Act. See JURISDICTION above. Include relevant dates and the names and addresses of other persons who you believe have knowledge of the facts and attach any documentation/evidence that support the facts alleged in this complaint. Please see § 21-5-6.23 regarding attorneys' fees.

Based on documentary evidence in the state public record, it appears that H. Lehman Franklin, III, a candidate for Georgia House District 160 and Filer ID 62747, falsified his personal financial disclosure statement covering the year 2021 by concealing material facts regarding at least nine known executive fiduciary positions that he held in 2021. He did not report the fiduciary positions. Additionally, these actions, which cannot be considered technical defects per Ga. Code § 21-5-7.1, may be concealing other unreported personal investment and property interests. This is preventing public scrutiny of the candidate, suppressing the ability of citizens to exercise our first amendment rights, and actions not in keeping with the oath of public office. Consequences for violations are immediately needed.

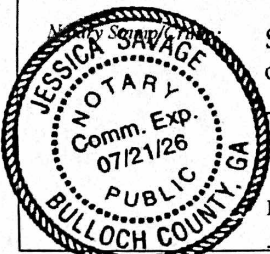
His complete, true, and correct financial disclosure is in direct connection with the requirement for candidates for public office, and, by statutory requirement must be correctly filed no later than the fifteenth day following the day of qualification per Ga. Code § 21-5-50. He did so via your e-filing system on 3/17/22. Documentary evidence is attached amounting to

(If continued on other side or additional paper, please check here)

IV. VERIFICATION BY OATH OR AFFIRMATION - ORIGINAL NOTARY & SIGNATURES REQUIRED

STATE OF Georgia COUNTY OF BULLOCH

I, the undersigned Complainant, being duly sworn, depose (affirm) and say that the information in this Complaint is true and correct to the best of my knowledge and belief.



Sworn to and subscribed before me on September 14th 2022
 Signature of Notary Public
 My Commission Expires: 7/21/2026

SIGNATURE AND STATEMENT OF COMPLAINANT:
 I AM, I AM NOT, in filing this complaint acting as an agent, paid or otherwise, for any other person.

[Signature box]

PENALTIES: False Swearing: A person to whom a lawful oath or affirmation has been administered or who executes a document knowing that it purports to be an acknowledgment of a lawful oath or affirmation commits the offense of false swearing when, in any matter or thing other than a judicial proceeding, he knowingly and willfully makes a false statement under Code Section 16-10-71. A person convicted of the offense of false swearing shall be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

James D. Kreyenbuhl
Chair

Robert A. Watts
Vice Chair

Rick Thompson
Member



Darryl A. Hicks
Member

David J. Burge
Member

David Emadi
Executive Secretary

Georgia Government Transparency and Campaign Finance Commission

200 Piedmont Avenue SE | Suite 1416 – West Tower | Atlanta, Georgia 30334

Phone (404) 463-1980 | Facsimile (404) 463-1988

www.ethics.ga.gov

September 21, 2022

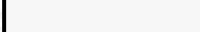
VIA FedEx

Herbert Lehman Franklin, III



**RE: IN THE MATTER OF HERBERT LEHMAN FRANKLIN, III
CASE NO. 22-0130-C**

Dear Mr. Franklin:

Enclosed you will find a copy of a sworn complaint filed by  September 20, 2022, which alleges that you have violated the Georgia Government Transparency and Campaign Finance Act (hereinafter, "Act"). You have **thirty days** to respond to the above-referenced complaint, in writing, if you should choose to do so. For your consideration, the Act and the Rules of the Commission can be found on our website at www.ethics.ga.gov.

Going forward Commission staff will review the complaint to determine if there is a basis to proceed forward with further prosecution. Should Commission staff determine that there is no basis for proceeding with the complaint under the Act, or any other statute within the jurisdiction of the Commission, Commission staff will notify you that the complaint is being administratively dismissed pursuant to Ga. R. & Regs. r. 189-2-.03(5) without any formal action by the Commission.

If Commission staff determine that there is a basis to proceed forward with further prosecution, the complaint will be brought before the Commission at a preliminary hearing, where the Commission will determine whether there are reasonable grounds to believe that a violation of the Act has occurred. You will be notified in advance of the time and place of any hearing. All meetings of the Georgia Government Transparency and Campaign Finance Commission are open to the public pursuant to the Open Meetings Act.

If you have any questions about procedure or other matters, please contact me at sknittel@ethics.ga.gov or 404-463-1980.

Respectfully,

Steve Knittel
Staff Attorney

SK:lc

Enclosure: Complaint

