

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Daniel Clephar	)	File No.: EB-02-TP-650
4816 Tam Drive	)	NAL/Acct. No. 200332700020
Orlando, Florida	)	FRN 0008369522
	)	

**FORFEITURE ORDER**

**Adopted: October 31, 2003****Released: November 3, 2003**

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of ten thousand dollars (\$10,000) to Daniel Clephar (“Mr. Clephar”) for willful violation of Section 301 of the Communications Act of 1934, as amended (“Act”).<sup>1</sup> The noted violation involves Mr. Clephar’s operation of a radio station on the frequency of 92.7 MHz in Orlando, Florida without Commission authorization.

2. On April 14, 2003, the District Director of the Commission’s Tampa, Florida Field Office (“Tampa Office”) issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$10,000 to Mr. Clephar.<sup>2</sup> Mr. Clephar has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Act,<sup>3</sup> and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission Rules (“Rules”),<sup>4</sup> Daniel Clephar **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$10,000 for willfully violating Section 301 of the Act.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.<sup>5</sup> Payment shall be made by mailing a check or similar instrument, payable to the order of the “Federal Communications Commission,” to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200332700020 and FRN

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<sup>1</sup> 47 U.S.C. § 301.

<sup>2</sup> *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200332700020 (Enf. Bur., Tampa Office, released April 14, 2003).

<sup>3</sup> 47 U.S.C. § 503(b).

<sup>4</sup> 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

<sup>5</sup> 47 U.S.C. § 504(a).

0008369522. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>6</sup>

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by first class mail and certified mail return receipt requested, to Daniel Clephar, 4816 Tam Drive, Orlando, Florida 32808 and to Daniel Clephar, 5060 North Lane, #63 Orlando, Florida 32808.

**FEDERAL COMMUNICATIONS COMMISSION**

David H. Solomon  
Chief, Enforcement Bureau

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<sup>6</sup> See 47 C.F.R. § 1.1914.