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March 17, 2022

Mr. Brian H. Paterson, Jr.
Assistant General Counsel
State of Alabama
Ethics Commission
P.O. Box 4840
Montgomery, AL 36103-4840

Re: Case No. 2022-094

Dear Mr. Paterson:

Thank you for your response of March 11, 2022 to my statement about the possible misuse of commercial fuel purchases by Chair Louis Maxwell.

The data I have of Mr. Maxwell's [fuel purchases](#) was obtained via an Open Records request requiring \$600 in retainer fees after numerous unjustified denials of sought county records. I manually [filtered](#) the countywide purchases on his name.

I have [twice](#) hand-delivered to Mr. Maxwell a Statement of Facts carrying an Open Records inquiry for a justification of county business connected to his fuel purchases.

Non-disputing the Statements of Facts provides a sequence of Undisputed Facts to purchases of fuel for whatever reason. As presented in your letter, I have 10 days to present evidence or the matter will be undisputed and "dismissed."

At the minimum, purchasing diesel fuel for a county unleaded vehicle is noteworthy, if not suspicious.

The ABI and my District Attorney informed me their agencies cannot investigate. My DA punted the football, instructing me to write the Ethics Commission.

I have exhausted all measures available to me, including \$600 in retainer fees, to have and assemble the data into a workable arrangement. I do not have investigative or subpoena authority for his county calendar or access to his computer files. There is no basis to oblige a citizen to choose expensive and quite possibly, unreimbursed, civil or criminal litigation when those judicial processes are available via citizens' taxes and fees.

I suspect you will agree it is unreasonable and probably criminal to have Mr. Maxwell followed electronically or privately. As I noted above, I do not have access to his electronic files and he refuses to explain the purchases.

Accordingly, in my civic opinion, there is reasonable documentation to warrant a preliminary investigation into Mr. Maxwell's fuel purchases, not considering fuel from the county tanks.

I look forward to your reply.

Respectfully,

/s/ Frank R. Dillman

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