

## NOTICE OF UNPAID DELINQUENT TANGIBLE PERSONAL PROPERTY TAXES



**MIKE FASANO**  
**TAX COLLECTOR**  
 PASCO COUNTY FLORIDA

As provided by Chapter 197, Florida Statutes, notice is hereby given that Tangible Personal Property Taxes assessed for 2013 are now delinquent and beginning April 1st such taxes are drawing interest of 18 percent per annum, plus a \$10.00 fee, plus the proportionate cost of publishing this notice. Unless the delinquent taxes are paid, warrants will be issued thereon and the tax collector will apply to the circuit court for an order directing levy upon and seizure of personal property of the taxpayer for the unpaid taxes. The name of the delinquent taxpayers and the amount of the taxes including the cost of advertising and interest through May 31, 2014 are as follows:

Tangible Personal Property Taxpayers	Amt Due
A & W/LONG JOHN SILVERS #3919.....	1,114.42
WHITESTONE FOODS LLC 4581 WESTON RD #349 WESTON FL 33331-3141	
AAMCO.....	482.65
AUTOPROS ENTERPRISES LLC 16403 ZURRAQUIN DE AVILA TAMPA FL 33613-1041	
ABSOLUTE COUNTER TOPS.....	120.56
2613 MERCHANT AVE UNIT C ODESSA FL 33556-3488	
ACADEMIC ALLIANCE DERMATOLOGY.....	806.42
PAUL ROSE MD 1111 BRICKELL BAY DR APT 1709 MIAMI FL 33131-2957	
ACCENT CUSTOM HOMES INC.....	933.97
10837 SKYHAWK DR NEW PRT RCHY FL 34654-5209	

ADORA BODY SCULPTING CLINIC.....	120.56
2713 W VIRGINIA AVE TAMPA FL 33607-6327	
ADVANCED DENTAL CARE.....	2,093.69
SPECIALIST CORP 13736 LITTLE RD HUDSON FL 34667-8024	
ALBRITTON SANDRA.....	26.08
14908 OGDEN LOOP ODESSA FL 33556-3615	
ALL CATASTROPHE CONSTRUCTION.....	2,410.34
TEAM INC 6409 LAND O LAKES BLVD LAND O LAKES FL 34638-3219	
ALLISON PATRICK & TONETTE.....	247.46
3750 LADO DR ZEPHYRHILLS FL 33543-4919	
ANYTIME FITNESS.....	654.59
JOHN AIENA LLC 12547 JILLIAN CIR HUDSON FL 34669-5003	
ANYTIME FITNESS.....	1,768.28
7341 BOTANICAL DR SPRING HILL FL 34607-4436	
ANYTIME FITNESS OF LAND O.....	823.23
LAKES 7016 LAND O LAKES BLVD #105 LAND O LAKES FL 34638-3200	
AQUAFINZ.....	5,561.61
AQUAFINZ MANAGEMENT LLC 332 BLANCA AVE TAMPA FL 33606-3630	
ARGENTOS ITALIAN BISTRO.....	408.92
15925 US HIGHWAY 19 HUDSON FL 34667-3654	
ARTISTIC LAWN CARE.....	949.11
PO BOX 5285 HUDSON FL 34674-5285	
ATHENIAN ACADEMY.....	119.09
C/O MANUEL GONCALVES 3118 SEVEN SPRINGS BLVD NEW PRT RCHY FL 34655-3340	
AUNE LARRY A & NELLI L.....	36.34
11710 AMBROSIA DR BOX 22 PORT RICHEY FL 34668-8320	
AURORA TIRE & AUTO CENTER LLC.....	120.56
5945 MASSACHUSETTS AVE NEW PRT RCHY FL 34652-1814	
AUTOTECHNOLOGIES.....	49.98
KEHM CORPORATION 5300 LITTLE RD NEW PRT RCHY FL 34655-1294	
B R W CONTRACTING INC.....	7,504.95
PO BOX 1128 LAND O LAKES FL 34639-1128	

BAJA FRESH MEXICAN GRILL.....	1,097.54
OHM STAR LLC 4716 HEATH AVE TAMPA FL 33624-2109	
BAKER KENNETH G.....	20.05
7235 STEVENS DR HUDSON FL 34667-3206	
BALDERAS PASCASIO &.....	94.66
ANGELITA 16039 TULIP TREE DR BROOKSVILLE FL 34610-7767	
BARDIN RICHARD.....	1,321.56
R T BARDIN INC 41111 MESSICK RD DADE CITY FL 33525-1572	
BASKERVILLE DONOVAN INC.....	125.24
449 W MAIN ST PENSACOLA FL 32502-5591	
BAYONET POINT OXYGEN AND.....	14,600.34
MED SUPPLIES GLOBAL MEDICAL EQUIP OF AMERIC 23025 N 15TH AVE STE 106 PHOENIX AZ 85027-1308	
BEAR AUDIO RENTALS.....	120.56
10840 LIVINGSTON DR NEW PRT RCHY FL 34654-6029	
BEEF O'BRADY'S.....	385.50
H & S WINGS INC 8717 LITTLE RD STE 6 NEW PRT RCHY FL 34654-4949	
BEHAVIORAL HEALTH ADVISORS.....	120.56
1831 N BELCHER RD STE C3 CLEARWATER FL 33765-1442	
BELL FRANK.....	23.63
5809 APOLLO ST ZEPHYRHILLS FL 33542-3236	
BELLAFIORE KATHLEEN M.....	50.66
9020 DANIEL AVE PORT RICHEY FL 34668-4806	
BERRY JOHN BRADLEY OR.....	25.75
CASTLE MARGO GERSTING 20500 COT RD LOT 338 LUTZ FL 33558-8375	
BEST TOBACCO & BEVERAGE LLC.....	1,254.07
JAI JOGNI MAA LLC 17346 SHADY HILLS RD SPRING HILL FL 34610-6851	
BETLEM KENNETH J AND.....	48.03
SHERMAN LOUANN 16108 US HIGHWAY 19 LOT 57 HUDSON FL 34667-4303	
BIG LEAGUE HAIRCUTS.....	20.16
TCD MAN CLIPPERS INC 8382 NIGHTINGALE RD WEEKI WACHEE FL 34613-5393	

BIG STORM BREWING CO.....	1,097.54
2438 MERCHANT AVE STE 103 ODESSA FL 33556-3489	
BISHOP HAROLD RAY.....	25.41
38616 FIR AVE APT 3 ZEPHYRHILLS FL 33542-7337	
BOB EVANS RESTAURANT #163.....	3,072.29
TAX DEPT 3776 S HIGH ST COLUMBUS OH 43207-4012	
BOB MURPHYS GOOD EATS.....	144.35
BOB MURPHYS NEW YORK CATERING 8050 WASHINGTON STREET PORT RICHEY FL 34668-6647	
BOUNCERS INC EVENT SERVICE.....	204.00
C/O MICHAEL D MENGEL 5311 SHASTA DAISY PL LAND O LAKES FL 34639-2820	
BROWN GRACE.....	28.91
6110 HARRIET ST ZEPHYRHILLS FL 33542-3274	
BRUSTER'S ICE CREAM.....	240.28
NEWBERLE ENTERPRISES LLC 212 SHEFFIELD CIR W PALM HARBOR FL 34683-5745	
BUCKNER DEBRA L.....	125.64
C/O BURKETT CINDY 6436 HUNTINGTON DR ZEPHYRHILLS FL 33542-0608	
BURGERMONGER.....	1,640.32
BURGERMONGER OF WESLEY CHAPEL 10412 N DALE MABRY HWY TAMPA FL 33618-4134	
BURNETT SURVEYING INC.....	38.02
6014 RIVER RD NEW PRT RCHY FL 34652-2517	
CALIENTE RESORTS LLC.....	7,037.54
21240 GRAN VIA BLVD LAND O LAKES FL 34637-3287	
CANCER CARE CENTERS OF FLORIDA.....	18.91
13904 LAKESHORE BLVD. STE 410 HUDSON FL 34667-1772	
CANNING SANDRA D.....	82.84
6706 HACHEM DR PORT RICHEY FL 34668-8349	
CANTERBURY FREDA J.....	46.42
29235 BAYHEAD RD DADE CITY FL 33523-6160	
CANTERBURY FREDA JUNE.....	32.47
C/O MARY KAY ROUSH 29235 BAYHEAD RD DADE CITY FL 33523-6160	
CASKIE MARGARET.....	23.61
14417 US HIGHWAY 19 LOT 35 HUDSON FL 34667-7167	

CASTLE DAVID & SANDY.....	120.72
PO BOX 385 SAN ANTONIO FL 33576-0385	
CENTER FOR NEUROPSYCHIATRY.....	77.15
15608 BLUE STAR CT ODESSA FL 33556-1796	
CENTRAL FLORIDA ALTERNATIVE.....	50,119.62
RENEWABLES LLC 120 E MAIN ST SUITE A PENSACOLA FL 32502-6096	
CHARMING CHARLIE.....	2,537.03
PO BOX 80615 INDIANAPOLIS IN 46280-0615	
CHELSEA DENTAL P L.....	589.91
DAVID DEMPSEY 10733 MAPLE CREEK DR STE 102 TRINITY FL 34655-4422	
CHILL CHAMBERS INC.....	268.00
3501 UNIVERSAL PLZ NEW PRT RCHY FL 34652-6205	
CILIBERTO BERNARD.....	49.56
5327 VILLAGE LN LAND O LAKES FL 34638-3301	
CLUB WILDWOOD LLC.....	381.18
PO BOX 2267 ADDISON TX 75001-2267	
COLLIER SUNOCO.....	1,813.42
COLLIER MART INC 22911 STATE ROAD 54 LUTZ FL 33549-6932	
COMPREHENSIVE PHYSICIAN.....	1,600.80
SERVICES INC 2604 W WATERS AVENUE TAMPA FL 33614-1835	
CONTINENTAL PLUMBING SERVICES.....	137.76
5732 FIELDSPRING AVE NEW PRT RCHY FL 34655-1141	
COOK JOHN PATRICK.....	28.78
39713 PAPAAYA AVE ZEPHYRHILLS FL 33542-2896	
CORNERSTONE LEASING INC.....	7,853.04
3936 PAUL S BUCHMAN HWY ZEPHYRHILLS FL 33542-1556	
COUNTY LINE CAR CARE.....	624.93
15136 COUNTY LINE RD SPRING HILL FL 34610-6771	
CREATIVE PRINTING & BUSINESS.....	289.25
FORMS INC 3901 LAND O LAKES BLVD LAND O LAKES FL 34639-4421	
D B R LEASE EXCHANGE LLC.....	2,363.57
1000 PORTSIDE DR EDGEWATER NJ 07020-1100	
DADE CITY FOOD MART INC.....	938.07
1ST STOP GROCERY 14113 US HIGHWAY 98 BYP DADE CITY FL 33525-4242	



ROCK OF AGES GRANITE & MARBLE ..... 317.19 8809 WOODLEAF BLVD WESLEY CHAPEL FL 33544-2626	SOMMERS RACING ..... 33.73 11531 STATE ROAD 52 STE D HUDSON FL 34669-3104	VATSCON INCORPORATED ..... 3,301.97 18604 US HIGHWAY 41 SPRING HILL FL 34610-2229
RODRIGUEZ AMANDA ..... 20.95 4643 KIMBALL CT ZEPHYRHILLS FL 33542-7146	SORRENTO PASTRY SHOP ..... 150.18 9721 US HIGHWAY 19 #6 PORT RICHEY FL 34668-3800	VISION OUTDOOR ADVERTISING ..... 247.79 7653 N KNOX AVE SKOKIE IL 60076-3741
ROOT INTERNATIONAL INC. .... 1,296.08 CASES 2 GO 24650 STATE ROAD 54 LUTZ FL 33559-7307	SOUTHEAST GAME BROKERS INC ..... 478.78 ATTN: BEVERLY HOLLEY 140 OSCAR HILL RD STE 2 TARPON SPGS FL 34689-6971	VISION OUTDOOR ADVERTISING ..... 247.79 7653 N KNOX AVE SKOKIE IL 60076-3741
ROSE LESLEE D ..... 49.56 C/O JEWEL LAY 14920 SWIFT RD DADE CITY FL 33525-7510	SOUTHWEST CONTRACTING INC. .... 1,278.64 PO BOX 788 ODESSA FL 33556-0788	VISION OUTDOOR ADVERTISING ..... 247.77 7653 N KNOX AVE SKOKIE IL 60076-3741
ROUSH WALTER E III & ..... 29.59 MARY KAY & HORTON BELINDA V 29235 BAYHEAD RD DADE CITY FL 33523-6160	SPARKMAN CHEVROLET LLC ..... 1,194.79 1475 WEST MAIN ST BARTOW FL 33830-4316	VOGLESONGER CAROLYNE PETERS ..... 34.86 88 DIBBLE ST TORRINGTON CT 06790-3124
ST E INC. .... 4,054.96 JOHN SCHALMO 8635 ARCOLA AVE HUDSON FL 34667-3638	STEN LABS INC ..... 120.56 5006 TROUBLE CREEK RD STE 152 NEW PRT RCHY FL 34652-4987	WAREHOUSE WINE & LIQUOR II ..... 120.56 TRINITY LIQUORS INC 16055 STATE RD 52 STE 201 LAND O LAKES FL 34638-6814
SAFETY-KLEEN SYSTEMS INC. .... 12.78 C/O RASH #799-9-7098000201 PO BOX 260888 PLANO TX 75026-0888	STEWART LANNIE JR & KRISTIN D ..... 294.56 7920 SAINT JOHNS RD LAND O LAKES FL 34638-2558	WAREHOUSE WINE AND LIQUOR ..... 120.56 24905 STATE ROAD 54 LUTZ FL 33559-6257
SANCHEZ JAHAIRA ..... 27.42 38101 WILLINGHAM DR LOT 14 DADE CITY FL 33525-5409	STRAQUADINE WENDY M. .... 39.79 14417 US HIGHWAY 19 LOT 43 HUDSON FL 34667-7166	WARNER VICKI MARLENE ..... 123.65 44 THREE RIVERS RD HASTINGS MN 55033-3938
SASSY O'SHEAS IRISH PUB & ..... 806.42 GRILL 5015 US HIGHWAY 19 NEW PRT RCHY FL 34652-4254	STRUTH HOLDINGS LLC ..... 1,383.91 4006 S HEATHCOE ROAD PLANT CITY FL 33567-2465	WATKINS CLEMENT J OR JESSIE E ..... 215.49 C/O LANNY DIXON 6115 SPRING LAKE CIR ZEPHYRHILLS FL 33540-7590
SAVANA'S CAR WASH ..... 357.81 3325 US HIGHWAY 19 HOLIDAY FL 34691-1847	SUBWAY SANDWICHES & SALADS ..... 147.40 THE COOKIE COMPANY 1 INC C/O CHRIS COOK 8521 REDFIELD DR PORT RICHEY FL 34668-4254	WELL CARE CHIROPRACTIC ..... 55.41 464 E LIBERTY ST HERNANDO FL 34442-3365
SCARBOROUGH CHIROPRACTIC ..... 170.89 5534 GULF DR NEW PORT RICHEY FL 34652-4000	SUNCOAST AUTOMOTIVE INC. .... 75.43 16645 US HIGHWAY 19 HUDSON FL 34667-4381	WEST COAST UNDERGROUND INC ..... 5,402.88 C/O BRIAN WAGNER 20948 BOWMAN RD SPRING HILL FL 34610-2202
SCHEU WILLIAM J. .... 38.28 7429 SNOWFLAKE LN NEW PRT RCHY FL 34652-1172	SUNCOAST DRILLING LLC ..... 1,871.53 31926 TALLY HO LN WESLEY CHAPEL FL 33543-4859	WHISKEY RIVER RESTAURANT ..... 100.53 CRAZY EDDIE'S WHISKEY RIVER 29909 US HIGHWAY 19 N CLEARWATER FL 33761-1041
SEAWAY PLASTICS ENGINEERING ..... 16,475.93 INC PO BOX 927 PORT RICHEY FL 34673-0927	SUNOCO / A PLUS EXPRESS ..... 1,561.70 J & J FOODMART INC 5736 US HIGHWAY 19 NEW PRT RCHY FL 34652-2934	WHITLEY LAURIE A. .... 184.68 38549 CALUMET AVE ZEPHYRHILLS FL 33542-6323
SEGMENTAL DESIGNS INC ..... 2,474.14 25352 WESLEY CHAPEL BLVD LUTZ FL 33559-7202	T SHERMAN INC ..... 668.56 4262 PERRY PLACE NEW PRT RCHY FL 34652-3150	WHYTE PETER ..... 28.87 9207 BOLTON AVE LOT 156 HUDSON FL 34667-3779
SEVEN SPRINGS SURGERY CENTER ..... 970.67 INC 2024 SEVEN SPRINGS BLVD NEW PRT RCHY FL 34655-3933	T-CON INC ..... 395.48 P O BOX 1977 DADE CITY FL 33526-1977	WICKED WINGS N MORE ..... 1,097.54 1402 ALTERNATE HWY 19 HOLIDAY FL 34691-5227
SEVERANCE SERVICE ..... 140.12 C/O SEVERANCE JACK 10421 KIM LN HUDSON FL 34669-3436	TAMPA BAY SPORTING CLAYS INC. .... 2,663.13 10514 EHREN CUTOFF LAND O LAKES FL 34639-7153	WINNER'S SPORTS GRILL ..... 1,512.55 WINNERS MANAGEMENT GROUP INC C/O GERRY MALYNOWSKY 5429 VILLAGE MARKET WESLEY CHAPEL FL 33544-8402
SHADY ACRES MOBILE HOME PARK ..... 30.78 14417 US HIGHWAY 19 HUDSON FL 34667-7178	THAI DELIGHT ..... 33.73 THAI DELIGHT INC 11720 US HWY 19 STE 1 PORT RICHEY FL 34668-1050	WRIGHT JOANN LOVE ..... 109.69 31015 AMBERLEA RD DADE CITY FL 33523-7211
SHARKY'S BILLIARDS ..... 21.35 5412 MAIN ST NEW PRT RCHY FL 34652-2503	TOAST ..... 33.73 TOAST INC 7121 STATE ROAD 54 NEW PRT RCHY FL 34653-6104	YAMAHA MOTOR CORPORATION USA ..... 1,105.45 GOLF CAR LEASING ATTN BYRON SMITH 6555 KATELLA AVE CYPRESS CA 90630-5101
SHOW PALACE DINNER THEATRE INC ..... 869.83 16128 US HIGHWAY 19 HUDSON FL 34667-4303	TUFFY TIRE & AUTO SERVICE ..... 1,006.19 SVS AUTO CARE LLC 3530 LAND O LAKES BLVD LAND O LAKES FL 34639-4412	YAMAHA MOTOR CORPORATION USA ..... 3,598.58 GOLF CART LEASING ATTN: BYRON SMITH 6555 KATELLA AVE CYPRESS CA 90630-5101
SIMPSON MAICKI ..... 28.78 15534 MADELINE DR HUDSON FL 34667-3812	U S SIGNS & LETTERS ..... 4,514.66 US SIGNS INC 16631 SCHEER BLVD HUDSON FL 34667-4237	YOUR FAMILY DOCTOR/OSTEO CENTR. .... 158.88 DR RAJENDER SINGH LAMBA 5657 WESTSHORE DR NEW PRT RCHY FL 34652-3034
SKINNY'S SPORTS BAR ..... 120.56 C/O OF KENNETH SANTO 8815 SHENANDOAH RUN WESLEY CHAPEL FL 33544-5451	ULATOWSKI JAMES R ..... 54.82 6695 TREEHAVEN DR SPRING HILL FL 34606-4854	ZEPHYRHILLS VETERINARY CLINIC ..... 1,001.62 MELANIE MCGAVERN 5655 GALL BLVD ZEPHYRHILLS FL 33542-3470
SLM LANDSCAPING ..... 2,568.70 RAY BRADLEY ENTERPRISES INC 14024 STATE ROAD 54 ODESSA FL 33556-3611	UNITED SPRINKLERS INC ..... 32.16 9755 STAR TRAIL NEW PRT RCHY FL 34654-2547	ZIEGLER ROBERT ..... 30.55 PO BOX 266 ZEPHYRHILLS FL 33539-0266
SMARTSCIENCE LABORATORIES INC ..... 2,855.80 13760 REPTRON BLVD TAMPA FL 33626-3040	UNIVERSAL CONTAINER CO LLC. .... 2,121.10 USBEV PRODUCTS INC 11805 STATE ROAD 54 ODESSA FL 33556-3469	1.99 CLEANERS ..... 985.04 27621 KIRKWOOD CIRCLE WESLEY CHAPEL FL 33544-8721
SMITTY'S SMOKEHOUSE & GRILL ..... 226.35 RIVER ROAD SMOKEHOUSE INC 12830 US HIGHWAY 301 DADE CITY FL 33525-5801	UNLIMITED FITNESS & ..... 554.78 PERFORMANCE INC 18716 MONTEVERDE DR SPRING HILL FL 34610-6945	1.99 CLEANERS ..... 120.56 TAMPA J CLEANERS 27621 KIRKWOOD CIR WESLEY CHAPEL FL 33544-8721
SMOOTHIE FACTORY ..... 554.78 9409 US HIGHWAY 19 STE 625 PORT RICHEY FL 34668-4636	VALACHI DOMINIC ..... 32.04 11204 D ST LOT 1 PORT RICHEY FL 34668-1313	10 TO 10 URGENT CARE LLC ..... 639.25 24420 STATE ROAD 54 LUTZ FL 33559-7303
SOMERSET EAGLE CORPORATION ..... 449.66 C/O FALCON REAL ESTATE 570 LEXINGTON AVE FL 32 NEW YORK NY 10022-6870	VANETTA JAMES OR PEGGY ..... 83.38 16654 US HIGHWAY 41 LOT C 11 SPRING HILL FL 34610-3734	2 TO 18 REPAIR PERFORMANCE ..... 120.56 MAINT LLC 9504 VIA SEGOVIA NEW PRT RCHY FL 34655-5202



# E-mail your Legal Notice

[legal@businessobserverfl.com](mailto:legal@businessobserverfl.com)

Sarasota County  
Manatee County  
Hillsborough County  
Pinellas County  
Pasco County  
Lee County  
Collier County  
Charlotte County

**Wednesday  
Noon Deadline**  
*Friday  
Publication*

**Business  
Observer**

## PUBLIC NOTICES

## An American Tradition

Public notice is an important tool in assuring an informed citizenry. Notices are mandated by legislatures to make sure there is a public window into the activities of governments, officers of the court and others holding a public trust. There are four key elements to a valid public notice. It should be executed by an entity outside the one mandated to provide notice, so proper checks and balances are in place.

A public notice informs citizens of government or government-related activities that affect citizens' everyday lives. A public notice typically has four elements:

- **Independent:** A public notice is published in a forum independent of the government, typically in a local newspaper.
- **Archivable:** A public notice is archived in a secure and publicly available format.
- **Accessible:** A public notice is capable of being accessed by all segments of society.
- **Verifiable:** The public and the source of the notice are able to verify that the notice was published, usually by an affidavit provided by the publisher.

*(Adapted from the Public Resource Notice Center)*

## Types of Public Notices

There are three standard types:

- **Citizen participation notices** inform the public about proposed government action and allow the public time to react to such proposals. One such example is a public hearing notice.

- **Business and commerce notices**

relate to government contracts and purchases. Notices of contract bids allow citizens to ensure that the government is operating in accordance with principles of equal opportunity and is acting responsibly in spending taxpayer money.

- **Court notices** are required of many non-governmental entities that

use public powers or institutions in some way. Examples include notices of home mortgage foreclosures, which can provide a public alert of widespread credit problems, fraud in underwriting and a basis for analyses of housing trends.

This notice allows the public to object to an appointment based on any conflict of interest.

## The history of public notices

Public notices existed long before the emergence of newspapers. The concept itself began when early civilizations posted notices in public squares. This crude method was eventually refined with the publication of the first English language newspaper in 1665 — a court newspaper called the Oxford Gazette. After being renamed The London Gazette, this official newspaper carried notices from the King's Court, London

officials and outlying regions.

The American system is modeled after the British system. State governments published public notices before America's founding, and the newly-created federal government followed suit. In 1789, the Acts of the First Congress required the Secretary of State to publish all bills, orders, resolutions and congressional votes in at least three publicly available newspapers.

An important premise both in federal

and local governments of the United States, as well as in many republics around the world, is that information about government activities must be accessible for the electorate to make well-informed decisions.

Public notices in newspapers still provide this accessibility to citizens who want to know more about government activities. Public notice laws serve to outline the most effective method of reaching the public.

## Public notice supports due process

Public notices are integral to democratic governance and stem from the right to "due process of law" guaranteed by the federal and state constitutions. Due process of law protects Americans' rights from arbitrary or wrongful violations. This concept has two parts: substantive due process and procedural due process.

Substantive due process refers to the

types of rights that are protected. Procedural due process refers to the means of protecting those rights.

Substantive due process ensures that certain basic rights are not violated, while procedural due process may require suitable notice and a hearing before a government or court-appointed body can act in a way that may affect those basic rights.

Public notices play a vital role in

substantive and procedural due process because they provide a window into government actions and also afford notice to citizens of actions about to take place so they may exercise their constitutional right to be heard. Notification not only informs the individual or entity most directly affected, but it also informs the public, which has an interest in knowing how public powers are being used.

## WHY NEWSPAPERS?

## Newspapers are the primary source

Newspapers, founded on the constitutional right of free press, have been serving the public's right to know in America since pre-colonial times and on the European continent since the 17th century. Because of their traditional information role in society and their long-established independence, newspapers remain the primary source for publishing public notices.

Upholding the public's right to know is essential to our country's way of life. Our government governs with the consent of the people, and this consent must be informed. Local newspapers keep the public informed about the inner workings of their respective state and local governments, thereby allowing citizens to participate more fully in the democratic process. Without this participation, the potential for misguided policies increases.

## Newspaper tradition

Newspapers allow the government to notify the public of government actions. The government has a fundamental responsibility to ensure adequate notification to the public of its actions. Therefore, the government has a duty to make sure the methods used in satisfying this responsibility are the most effective.

Newspapers provide neutrality from government and credible distance from political pressures or partisan disagreements. Local and community newspapers serve as third-party reporters to the public, publishing information that can be beneficial or sometimes detrimental to the government's public image. They provide an environment for notices that the

public traditionally has regarded as neutral. Public notices in this print environment gain credibility because of the long history of trust in the local newspaper.

Placing notices on government Web sites undermines this neutral interest and removes a critical check and balance. While it may seem appealing on the surface in an age of ever-more sophisticated government Web sites, the potential for mishandling is great.

On the other hand, public notices in independent newspapers increase government transparency by opening up the decision-making process to the public's eyes. Without this oversight, local governments could enact controversial policies without input from the public.

Newspapers serve as effective monitors of governments and ensure that they publish information as required by law. Public notices are typically required by a statute or a regulation. The independent press can provide a valuable civic role by helping to monitor that the notices were published when required. If governments were responsible for publishing their own notices, no neutral and independent entity would have the incentive and the means to track public-notice publication.

## Newspapers: The best medium for public notices

Newspapers, for the most of the republic's history, have been the accepted medium for public notices. This is exactly where the public, even infrequent readers, expects to find them. In addition, specialized publications, such as legal newspapers, are well known for

providing public notices to the population through legal communities. Other general interest newspapers, such as county seat weeklies, are the forum where county citizens expect to locate notices of important public business. Furthermore, the vast majority of these notices arrive at citizens' homes in a context that compels readership (amid local news, sports features and other content).

Another reason for the effectiveness of newspapers is that newspapers provide valid evidence of readership.

Legislatures are rightly concerned about web-only notices, given the digital divide between rich and poor, rural and urban residents. The Internet is either too costly or simply geographically unavailable to large segments of society.

## Notices become historical records

The newspaper as paper of record is an important factor in the public policy of notices. Government Web sites cannot provide a secure archival history the way newspapers can. Electronic records lack permanence and can easily be intentionally or accidentally erased. Even the Library of Congress has recognized this shortcoming and has embarked upon a major project to attempt to archive digital records that are in danger of being "forever lost" due to Internet impermanence.

Despite these problems, the federal courts unwisely approved a rule change to the Federal Rules of Civil Procedure recently that would

## THE RISKS OF NOTICES ONLY ON THE INTERNET

Although it has been part of American society for a quarter-century as a network for scholars and government agencies, the Internet has been widely used by citizens for about 15 years.

Because of its structure with computer clients and servers, information packets and open-network codes, the Internet remains vulnerable and sometimes unstable. Power surges, corrupted software and downed servers can disrupt access. Government agencies cannot ensure that information located on a server is secure.

Even a highly technological site like that of the Pentagon's has been affected. In June 2007, the Pentagon was forced to take about 1,500 computers off-line because of a cyber-attack. Then-Defense Department Secretary Robert Gates stated that the Pentagon sees hundreds of attacks every day.

Public notices guard our constitutional right to due process of law by informing citizens of government action and providing proof of publication via notarized affidavits of publication. Unlike the time-tested and trusted local newspapers that citizens have come to rely on for public notices, the Internet is an unstable medium for information. While it is a valuable tool in disseminating information, it has not yet reached a level of sophistication and technological stability that would justify its supplanting newspapers as the primary venue for public notices.

It is still uncertain how a "Net" affidavit could show proof of a public notice publication when constant technological change makes any attempt at archiving and accessing such a document online for any significant time dubious.

No less problematic for the Internet is its reach. Those who live in rural areas where broadband does not exist and others who simply cannot afford the Internet cannot access web public notices. In situations where foreclosures are on the rise due, in part, to predatory mortgage lending, more, not less, access to public notices is needed to better inform citizens about their rights and their choices.

It is difficult to justify, then, moving public notices from newspapers only to public-notice Web sites administered either by already over-burdened state governments or by third-party vendors who lack the experience and long-term viability newspapers have proven in publishing notices.

So far in the Internet age, newspapers remain the most trusted and primary method for providing citizens access to public notices.

move notices of federal asset forfeitures out of newspapers and onto a Web site administered by the Department of Justice. Yet, the courts have little research to show that the Justice Department's Web site will produce viable, accessible, archivable notices.

While Internet web pages pose serious archiving challenges, newspapers, on the other hand, become historical documents. They are oriented and published with a date on every page. They cannot be deceptively altered after printing as a web page could. Historians, judges, lawyers, genealogists and researchers, to name only a few, use newspapers and public notices in particular as sources for records.

## Newspaper notices protect due process

Procedural due process, as granted by the U.S. Constitution and interpreted

by courts, generally requires an individual to receive notice and a hearing before he or she is deprived of certain rights or property. For example, before a person's home is sold by a county sheriff at a foreclosure sale, he or she must receive notice of the foreclosure sale and an opportunity to save the house from foreclosure. If the owner does not receive the notice, he may challenge the sale in court. The court may then void the sale or prevent the sale from happening to protect due process.

Newspapers are generally paid to run public notices, which recognizes that their publication creates a cost in paper, ink and delivery.

