#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

Coss No . EEC 16 027

III Ke: Deviii K. Maxweii		/	
TO:	Devin R. Maxwell	Division of Elections	
	205 Southwest Park Street	500 S Bronough Street, Room	n 316
	Okeechobee, FL 34972	Tallahassee, FL 32399	

In Day Davin D Marryall

#### NOTICE OF HEARING (CONSENT ORDER)

A hearing will be held in this case before the Florida Elections Commission on, November 16, 2016 at 8:30 am, or as soon thereafter as the parties can be heard, at the following location: Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

**If you are the Respondent**, you may attend the hearing, and you or your attorney will have 5 minutes to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

**If you are the Complainant**, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

**If you are an Appellant**, and you have requested a hearing, you may attend the hearing, and you or your attorney will have 5 *minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman

Executive Director Florida Elections Commission November 1, 2016 Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, he must provide the Commission with written proof of his financial resources at the hearing. A financial affidavit form is available from the Commission Clerk.



Case No. FEC-037; Respondent Devin Maxwell

Devin Maxwell

to:

fec

10/21/2016 12:20 PM

Hide Details

From: "Devin Maxwell" <dmaxwell@maxwellandmaxwell.net>

To: <fec@myfloridalegal.com>

#### 1 Attachment



WaiveConfidentiality.pdf

Dear Ms. Malphurs,

Please see attached letter for filing in the above referenced case, in which I waive confidentiality in the matter.

Sincerely, Devin Maxwell

Devin R. Maxwell Esq. 205 SW Park Street Okeechobee, Florida 34972

Tel: (863)763-1119 Fax: (863) 763-1179

dmaxwell@maxwellandmaxwell.net

Devin Maxwell 205 SW Park Street Okeechobee, Florida 34972

October 21, 2016

Erin Riley Florida Elections Commission 107 W. Gaines Street Suite 224 Collins Building Tallahassee, Florida 32399-1050

RE: Case No.: FEC 16-037; Respondent Devin Maxwell

Dear Ms. Riley:

Please be advised that I waive confidentiality in this matter.

RESPECTFULLY SUBMITTED,

DEVIN R. MAXWELL

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Devin R. Maxwell		Case No.:	FEC 16-037
	<i>l</i> .	F.O. No.:	FOFEC <#>

#### **CONSENT FINAL ORDER**

Respondent, Devin R. Maxwell, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

#### FINDINGS OF FACT

- 1. On February 5, 2016, the Division of Elections filed a referral with the Commission alleging that Respondent violated the Florida Election Code.
- 2. Respondent expressed a desire to enter into negotiations directed toward reaching a consent agreement.
  - 3. Respondent and the staff stipulate to the following facts:
    - a. Respondent was a 2016 candidate for State Representative, District 55.
    - b. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed because he had not received funds, made contributions, or expended reportable funds during the following reporting periods: 2015 M11 and 2015 M12.
    - c. Respondent notified the filing officer with regard to the above referenced reporting periods after the prescribed reporting dates.

#### CONCLUSIONS OF LAW

4. The Commission has jurisdiction over the parties to and subject matter of this cause,

pursuant to Section 106.26, Florida Statutes.

5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

6. The Commission staff and Respondent stipulate that staff can prove the facts in paragraph three above by clear and convincing evidence and to the Commission's ability to impose a civil penalty against Respondent in this case.

7. Respondent does not admit or deny that he violated the Florida Election Code.

#### ORDER

- 8. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.
- 9. The parties shall each bear their own attorney's fees and costs that are in any way associated with this case.
  - 10. The Commission will consider the Consent Order at its next available meeting.
- 11. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.
- 12. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be responsible for all fees and costs associated with enforcement.
- 13. If the Commission does not receive the signed Consent Order by August 12, 2016, the staff withdraws this offer of settlement and will proceed with the case.

14. Payment of the civil penalty by cashier's check, money order, good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order.

#### PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.07(7), Florida Statutes, and imposes a fine of \$75.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$75, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

Respondent hereby agrees and consents to the terms of this Consent Order on Olygon 5. , 2016.

Devin R. Maxwell 205 Southwest Park Street Okeechobee, FL 34972-4972

Commission staff hereby agrees and consents to the terms of this Consent Order on

AUAUGE 11, 2016

Stephanie J. Cunningham
Assistant General Counsel
Florida Elections Commission

107 West Gaines Street Collins Building, Suite 224 Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on November 16 & 17, 2016 in Tallahassee, Florida.

M. Scott Thomas, Chairman Florida Elections Commission

Copies furnished to: Stephanie J. Cunningham, Assistant General Counsel Devin R. Maxwell, Respondent Division of Elections, Complainant



No. 947

947496

DATE August 08, 2016

PAY TO THE ORDER OF -

\*FL Elections Commission 16-037, 16-070\*

\*\*\*\*\*\*\*\*100 00

ONE HUNDRED DOLLARS AND ZERO CENTS

Remitter: Devin Maxwell

CASHIER'S CHECK

BRII. 55 TLR: MLP-647

ATTHORIZED SIGNATURE

16 AUG 31 PM 1:10

STATE OF PLORIDA ELECTIONS COMMISSION

# STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Devin R. Maxwell		Case No.:	FEC 16-0	)37
	1			

#### **ORDER CONTINUING CASE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 17, 2016, in Tallahassee, Florida.

Commission Staff requested that the matter be continued.

The Commission reviewed Staff's request. Staff's request was GRANTED.

THIS MATTER is continued until the next available meeting of the Florida Elections Commission.

**DONE AND ORDERED** by the Florida Elections Commission on August 17, 2016.

M. Scott Thomas, Chairman Florida Elections Commission

Copies furnished to: Stephanie J. Cunningham, Assistant General Counsel Devin R. Maxwell, Respondent Division of Elections, Complainant

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re:	Devin R. Maxwell	/	Case No.: FEC 16-037
то:	Devin R. Maxwell 205 Southwest Park Street Okeechobee, FL 34972-4972		Division of Elections 500 S Bronough Street, Room 316 Tallahassee, FL 32399

#### NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

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Amy McKeever Toman

Executive Director Florida Elections Commission August 1, 2016

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#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Devin R. Maxwell	Case No.: FEC 16-037	
	/	

#### STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7)**, **Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on May 20, 2016, the following facts and law support this staff recommendation:

- 1. On February 5, 2016, the Florida Elections Commission ("Commission") received a referral from the Department of State, Division of Elections ("Division"), alleging that Devin R. Maxwell ("Respondent") violated Chapter 106, Florida Statutes.
- 2. Respondent was a 2016 candidate for State Representative, District 55. (ROI Exhibit 7)<sup>1</sup> The Division received Respondent's request to withdraw from the race on May 17, 2016.
- 3. By letter dated April 21, 2016, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2015 M11
- 2015 M12
- 4. By letter dated November 20, 2015, Kristi Reid Bronson, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received his Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form. (ROI Exhibit 2, page 1)
- 5. The acknowledgment letter advised Respondent that all of the Division's publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 2, page 3)

<sup>&</sup>lt;sup>1</sup> The Report of Investigation is referred to herein as "ROI."

- 6. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a candidate has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the candidate is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.
- 7. The Candidate & Campaign Treasurer Handbook references the statutory requirement regarding written notification and directs candidates to notify the Division by way of the Division's electronic filing system. (ROI Exhibit 3, page 6) The Candidate EFS User's Guide shows the process through which to notify the Division. The user's guide instructs candidates to select the relevant reporting period and place a checkmark in a box titled "Waiver" to indicate the lack of reportable financial activity. (ROI Exhibit 4, pages 3-4)
- 8. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods, as set forth in the table below. (ROI Exhibit 5, page 1)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2015 M11	11/1/15 – 11/30/15	12/10/15	12/15/15	5
2015 M12	12/1/15 – 12/31/15	1/11/16	1/26/16	15

- 9. Respondent stated that he was too intimidated to file the waivers of report timely due to concerns that the incumbent would retaliate against Respondent and his family. (ROI Exhibit 6)
- 10. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).
- 11. The facts set forth above show that Respondent was a 2016 candidate for State Representative, District 55. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods: 2015 M11 and 2015 M12.

Based upon these facts and circumstances, I recommend that the Commission find **probable cause** to charge Respondent with violating the following:

#### Count 1:

On or about December 10, 2015, Devin R. Maxwell violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2015 M11 Report.

#### Count 2:

On or about January 11, 2016, Devin R. Maxwell violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2015 M12 Report.

Respectfully submitted on June 10, 2016.

Stephanie J. Cumingham Assistant General Counsel

I reviewed this Staff Recommendation this Off day of June 2016.

Amy McKeever Tornan Executive Director

#### FLORIDA ELECTIONS COMMISSION

#### Report of Investigation for Failure to Notify Filing Officer

#### Case Number FEC 16-037 Respondent: Devin R. Maxwell Complainant: Division of Elections Section 106.07(7), Florida Statutes, failure of a candidate who did not receive any contributions **Respondent Type:** or make any expenditures during a reporting ☐ Candidate period to notify timely the filing officer, in writing, that no report is being filed Political Committee I. Preliminary Information: 1. An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on November 19, 2015. (Ex. 1) 2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 9 on November 20, 2015 advising Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the Candidate and Campaign Treasurer Handbook, and the Calendar of Reporting Dates. (Ex. 2) 3. The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk1. 4. The Candidate and Campaign Treasurer Handbook, discusses filing a waiver when there is no activity to disclose on page 47. (Ex. 3) 5. Pages 12, 13, 44, and 45 of the Candidate EFS User's Guide discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose. (Ex. 4) 6. In a telephone interview on April 2, 2015, Kristi Reid-Bronson clarified that once the waiver box is chosen and a new report is opened as shown on Page 12, the only available option on the report summary screen will be "Go To File Report" as shown on Page 13. Choosing "Go To File Report" will take the user directly to the screens where the candidate/treasurer PINS are entered as shown on Pages 44 and 45. II. Alleged Violation of Section 106.07(7), Florida Statutes: 7. Respondent's filing history reflects the untimely filed notifications summarized below. (Ex. 5) **Date Notification Due Date Notification** No. of Days Late Report **Report Cover** Period Filed 2015 M11 11/1/15 - 11/30/15 12/10/15 12/15/15 5

1/11/16

1/26/16

15

2015 M12

12/1/15 - 12/31/15

<sup>&</sup>lt;sup>1</sup> The acknowledgement letter also informed Respondent that the first report for his election campaign, the 2015 M11 Report, would be due on December 10, 2015.

8. Respondent provided a written response to the referral dated February 25, 2016, in which he stated "The campaign financing report waivers were filed late because during the times when the reports were due, I was under duress from actions taken by the incumbent Representative Cary Pigman, who is currently cohabitating with my wife and children in my marital home. Representative Pigman has intimidated me and caused harm to me and other members of my family, and I was fearful that when I filed the reports, he would take additional retaliatory actions."

"Due to the blatant disregard for the law and ethics, as well as lack of family values that I observed in Representative Pigman (both of his marriages ended due to his extra-marital affairs), I decided to open my candidacy for his seat on November 19. However, it was because I had also observed his brazen abuse of power, which was directed toward my sister in December and January, that I was too intimidated to file the waiver of reports timely." (Ex. 6)

- 9. Respondent did not return a questionnaire-affidavit nor did he respond to any of the attempts to be interviewed by telephone.
- 10. During the course of the investigation, I reviewed Respondent's filing history. I determined that there were four reporting periods, subsequent to the 2015 M12 reporting period. Respondent submitted waivers for all of these reporting periods. All were filed early, with the exception of the waiver for the 2016 M1 reporting period, which was filed one day late. (Ex. 5)

#### III. FEC History:

11. Respondent has not had any prior cases before the Commission.

#### Conclusion:

- 12. I attempted to contact Respondent on multiple occasions to give him an opportunity to discuss the allegations in the referral. Additionally, a questionnaire-affidavit was mailed to Respondent on May 2, 2016. As of the date of this report, Respondent has not returned my calls, nor has he returned the questionnaire.
- 13. Because Respondent has not contacted the Commission or returned the questionnaire, I am unable to ascertain whether Respondent has read Chapter 106, Florida Statutes and/or the Candidate and Campaign Treasurer Handbook. Respondent signed his Statement of Candidate form on November 19, 2015. (Ex. 7)

SIGNATURE OF INVESTIGATOR: Date: 5 20 1/2

## FLORIDA ELECTIONS COMMISSION

#### REPORT OF INVESTIGATION Devin R. Maxwell -- FEC 16-037

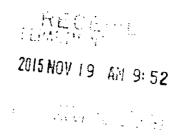
LIST OF EXHIBITS					
Exhibits #s Description of Exhibits					
Exhibit 1	Respondent's DS-DE 9				
Exhibit 2 Acknowledgement Letter					
Exhibit 3 Relevant pages from the Candidate and Campaign Tre Handbook					
Exhibit 4	Relevant pages from the Candidate EFS User's Guide				
Exhibit 5	Respondent's filing history				
Exhibit 6 Respondent's Response Letter					
Exhibit 7	Statement of Candidate				

#### APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

NOTE: This form must be on file with the qualifying officer before opening the campaign account.



AFFICE USE ONLY

officer before opening the	campa	gn account.							OFFICE	USE	ONLY
1. CHECK APPROPRIATE Initial Filing of Form	•	i): filing to Change:	_ T	reasu	urer/D	eputy [	] Depositor	ry 🗆	Office		Party
2. Name of Candidate (in the	nis order	: First, Middle, La	ast)	3	3. Add	ress (includ	e post offic	e box or s	treet, city,	state, a	zip
Devin Maxwell				C	code)	Southwes					
4. Telephone	5. E-ma	il address		1		chobee, F					i
(863 ) 697-9830	devinm	axwell@yaho	o.com								
6. Office sought (include di	strict, ci	cuit, group numb	per)			7. If a cand	idate for a	nonparti	san office	, chec	k if
State Representative, D	istrict :	55				applicab	ile: My intent i	s to run a	s a Write-Ir	n candi	date.
8. If a candidate for a parti	san offi	ce, check block	and fill	in na	ame c	of party as	applicable:	: My inte	ent is to run	asa	
Write-In No P	arty Affi	liation 🗵	Repul	olica	ın			Pa	rty cand	lidate.	
9. I have appointed the fol	lowing	person to act as	my	$\boxtimes$	Cam	paign Treas	surer 🔲	Deput	y Treasure	r	
10. Name of Treasurer or D Devin Maxwell	eputy Tr	easurer									
11. Mailing Address								12. Telep	hone	.,	
205 Southwest Park Str	eet							(863)	697-983	30	
13. City	14. C	ounty	15. Sta	ate	e 16. Zip Code 17. E-mail address						
Okeechobee	Okee	chobee	Florida	а	34972 devinmaxwell@yahoo.com						
18. I have designated the f	ollowin	g bank as my	Σ	√ F	rimar	y Depositor	у 🗌	Seconda	ry Deposito	ory	
19. Name of Bank				20.	Addre	ess					
Seacoast National Bank	ς			500	Nor	th Parrott	Avenue				
21. City		22. County				23. State			24. Zip Co	ode	
Okeechobee		Okeechobee				Florida			34972		
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25. Date				26.	Signa	ture of Can	didate		_		
November 16, 2015				X	1	Jen 1	Van	Ll	1		
27. Treasure	r's Acce	ptance of Appo	intmen	t (fill i	in the	blanks and	check the a	appropriat	e block)		
], do hereby accept the appointment											
	(Please Print or Type Name)										
designated above as:	designated above as:   Campaign Treasurer Deputy Treasurer.										
November 16, 2015 X Sen Maguell											
Date Signature of Campaign Treasurer or Deputy Treasurer											

EXHIBIT\_\_\_\_



RICK SCOTT Governor

KEN DETZNER
Secretary of State

November 20, 2015

Devin Maxwell 1404 Southwest 7th Avenue Okeechobee, Florida 34974

Dear Mr. Maxwell:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on November 19, 2015. Your name has been placed on the 2016 active candidate list.

#### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **December 10, 2015**. The report will cover the period of November 1-30, 2015 (M11). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

#### Credentials and Sign-ons

Below is the web address to access the EFS and your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your campaign treasurer, and deputy treasurers are responsible for protecting these passwords from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: https://efs.dos.state.fl.us

Identification Number: 65046



FLORIDA EDITIONS OF ELECTIONS

Division of Elections

R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399

850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/

Promoting Florida's History and Culture VivaFlorida.org

Devin Maxwell November 20, 2015 Page Two

#### Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains your confidential pin numbers.

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as What is your mother's maiden name?) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

#### **Timely Filing**

All reports filed must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

#### **Electronic Receipts**

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the candidate and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.



Devin Maxwell November 20, 2015 Page Three

#### **Instructions and Assistance**

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <a href="http://dos.myflorida.com/elections/">http://dos.myflorida.com/elections/</a>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, Candidate and Campaign Treasurer Handbook, Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

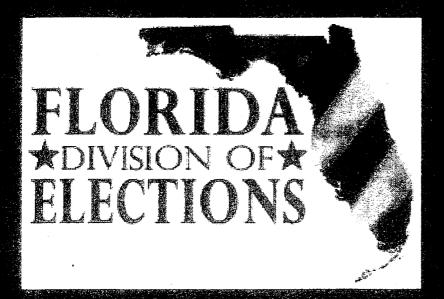
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KRB/zjs

**Enclosures** 

EXHIBIT 2(323)

Candidate & Campaign Treasurer Handbook

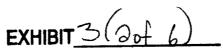


November 2013
Florida Department of State Division of Elections
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, FL 32399-0250
(850) 245-6240

EXHIBIT 3(10+6)

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This publication is available in alternate format upon request by contacting the Division of Elections at 850.245.6240.

day designated is deemed timely filed. A report received by the filing officer within 5 days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner. Reports filed with the Division through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date.

(Sections 106.07, 106.0705 and 106.141, F.S.)

#### Penalty for Late Filing

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding the primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For a candidate's termination report, the fine shall be \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater for the period covered by the late report. All fines must be paid from the candidate's personal funds not campaign funds.

(Section 106.07(2) and (8), F.S.)

#### Waiver of Report

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived; however, the candidate must indicate there is no activity by filing a waiver of report on the prescribed due date. (Waivers filed with the Division must be filed using the EFS.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

(Section 106.07, F.S.)

#### **Incomplete Reports**

If a campaign treasurer files a report that is deemed incomplete, it shall be accepted on a conditional basis. The campaign treasurer will be notified by the filing officer as to why the report is incomplete. The campaign treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report.

(Section 106.07(2), F.S.)

#### **Reporting Total Sums**

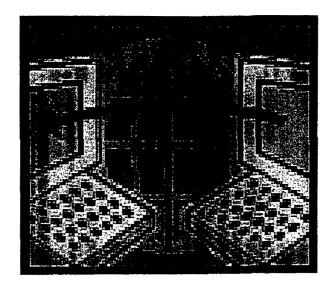
Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts by or for such candidate, and total sums of all expenditures made by such candidate during the reporting period. The

reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

(Section 106.07, F.S.)

# Department of State Division of Elections

# Candidate EFS User's Guide



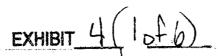
Florida Department of State Division of Elections R.A. Gray Building, Room 316 500 S Bronough Street Tallahassee, FL 32399-0250

EFS HELP LINE: 850-245-6280

January 2011

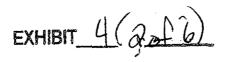
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# Create a New Report by Data Entry

From the Welcome Screen, click Filings and then Open New Report

6 Home	Trilings Campaign Account	Sign Out	<b>⊘</b> Help			
Welco	Filed Reports  Reports Pending Submission	tem (EFS) provi	ded by the Florida D	epartment of Sta	te, Division of	
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	is form to submit an o led Reports disting and					select the report from
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	Election Cycle:	2010 General E	Control of the contro			
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	Coverage Period:	7/17/2010	[7/30/2010 [7]	Due Dat	e: [08/06/2010 ]	
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					Browse	
			Open	Report		

Click arrow next to **Election Cycle**. Scroll to the cycle associated with the report you are entering.

Click arrow next to Report Type and select the report type that corresponds to the appropriate cover period and due date.

The Cover Period dates will automatically fill in based on the Calendar of Election and Reporting Dates. The end date can be changed for candidate termination reports.

EXHIBIT 4 (30 f 6)

The Due Date will automatically fill in based on the Calendar of Election and Reporting Dates.

#### \*\*\*\*NOTE\*\*\*\*

If this report is a waiver of report (no activity), click the Dox next to Waiver.

Election Cycle:	2010 General Election	
Report Type:	F2 2010	
Coverage Period:	7/17/2010 7/30/2010	Duo Date: 08/06/2010
A STATE OF THE STA	ides of House	m
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Click Open Report at the bottom of the screen. A Report Detail screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

Report: 2010 - 64 - 27	2010 General Elect	ion	:	Covers: 10/1)	5/2010-10/28/201	0 Due: 10	/29/2010
i Amendines ( )	Waiver	Complete Status:  Review Status:	Not Re	piete Detail Records eviewed			
Steins: Delt E. 1.		LastReview					
# of Transactions: 0	Review	Recalculat	<u>e</u> 6	o To File Report	Append File	Delete Report	Save
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Cash and Cher	ks:	0.00		Monetary:		0.00	
Loa	ins:	0.00		Transfers to Off Acct:		0.00	
Total Moneta	iry:	0.00		Total Monetary:		0.00	
In-K	nd:	0.00		Other Distributions:		0.00	1.70
Réview Messages							
Created:	10/26/2010 11:41:	25 AM By: 50	552	Revised:	10/26/2010 11:4	1:25 AM By:	50552

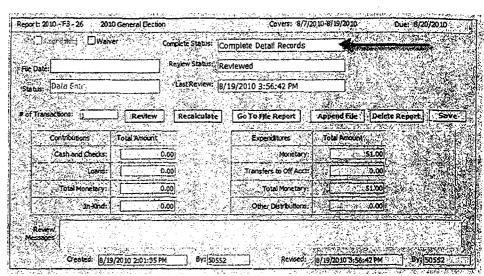
EXHIBIT 4(40f 6)

# File the Report

If the **Review Status** is <u>Updated Detail – Needs Review</u> the report has not been reviewed since the last update. (See page 38 for instructions on how to submit the report to the system for review.)

If the status of the report is <u>Complete</u>

<u>Detail Records</u>, you are ready to file the report.



Click on Go To File Report

The candidate enters his or her PIN, and then selects

Report Approved

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	The state of the state of the state of
NOTE: A PIN is the same as your signature attesting to the validity of the report	
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Step 2: Select the "Report Approved" button.	
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PIN for Candidate/Chairperson: Report Approved	
Kebox Abbroxes	

EXHIBIT\_4 (5076)

If there is more than one treasurer, click on the drop down and select the treasurer that is filing the report.

File Report

		100					TRANSPORT (VERVOR) Kalendari	
n. (	Campaign Treas	urer:	Eand was	No. of the last			Carlo Sale	
y*( )*,			25 C C C S. 120		end what year	321 - X	AND A STORY	egine.

The treasurer enters his or her PIN and then clicks

٠.	21 32 July 1 2 10 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2		<u> 27869 m. n. n. 1761 m. 63 advicta za 63<b>00</b>24 m</u>	2000年的1900年,1900年的1900年的1900年的1900年的1900年的1900年的1900年的1900年的1900年的1900年的1900年的1900年的1900年的1900年的1900年的1900年的19
	Report: 2010 - F3 - 26	Coverage Period: 8/7/20	10-8/19/2010 Due	: 8/20/2010
	Review Status:	Reviewed		inal (SAmended)
	Campaign Treasurer:	James Bond		
		PIN for specified Treasurer:		
	To Edit Report Again S	Select Cancel Cancel	File Report	0.000

<u>IMPORTANT NOTE</u>: If changes need to be made <u>after</u> a candidate enters his PIN, the treasurer must <u>undo</u> the candidate's PIN validation before the system will allow changes. See page 48 for instructions.

EXHIBIT 4 (60f6)



search | directory | contact us | 411 | subscribe | tour | help

## Florida Department of State - Division of Elections

#### Florida Election System Reports

Candidate/Committee Lookup	Candida	ite Na	ıme: Devin l	Maxwell					
Name:		Acco	unt: <u>65046</u>						
Election:	Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
<u> </u>	5/10/2016	M4	5/3/2016						
Acct: 65046	4/11/2016	М3	4/4/2016						
Type: Candidate	3/10/2016	M2	3/1/2016						
And the second s	2/10/2016	M1	2/11/2016	FEC	1	\$0.00		\$0.00	\$0.00
Search Reset	1/11/2016	M12	1/26/2016	FEC	15	\$0.00		\$0.00	\$0.00
Enterprise Agency (Control of the Control of the Co	12/10/2015	M11	12/15/2015	FEC	5	\$0.00		\$0.00	\$0.00

EXHIBIT 5(10fa)



2016 General Election Devin Maxwell (REP) State Representative

#### **Campaign Finance Activity**

**Note:** The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. About the Campaign Finance Data Base.

			Contributions				
	Filing Period	Monetary	Loans	InKind	Expend	Other	Transfers
W	11/19/2015 - 11/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2015 - 12/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2016 - 01/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	02/01/2016 - 02/29/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	03/01/2016 - 03/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2016 - 04/30/2016	0.00	0.00	0.00	0.00	0.00	0.00
•	All Dates (Totals)	0.00	0.00	0.00	0.00	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and L Indicates that a loan report was filed

Select Detail Type

Contributions 🗸

Select Sort Order

Date(Ascending)

Select Output Type

Display On Screen 🗸

Submit Query Now

Query the Campaign Finance Data Base

[Department of State] [Division of Elections] [Candidates and Races] [Campaign Finance Information]

EXHIBIT 5(20f2)

And the second s

2016 MAR - 2 P D 52

Devin Maxwell 205 SW Park Street Okeechobee, Florida 34972

February 25, 2016

### Via U.S. Mail

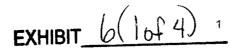
Erin Riley Florida Elections Commission 107 W. Gaines Street Suite 224 Collins Building Tallahassee, Florida 32399-1050

RE: Case No.: FEC 16-037; Respondent Devin Maxwell

Dear Ms. Riley:

This is a response to the complaint in the above-referenced case. The campaign financing report waivers were filed late because during the times when the reports were due, I was under duress from actions taken by the incumbent Representative Cary Pigman, who is currently cohabitating with my wife and children in my marital home. Representative Pigman has intimidated and caused harm to me and other members of my family, and I was fearful that when I filed the reports, he would take additional retaliatory actions.

During the period when the 2015 M11 report could be timely filed, I was court-ordered to vacate my marital home by December 2, 2015, so that my estranged wife could move into the home with Representative Pigman, who she testified was going to help her with the mortgage payments. Representative Pigman thereafter moved into my home, and I moved into the home of my sister, who is the Principal of an elementary school. On December 8, 2015, Representative Pigman met with the Superintendent of Schools and requested that my sister be terminated from her job, and suggested that he might have difficulty voting to appropriate funds for a planned new high school in our county, unless the action was taken. As a result, my sister was asked to make a decision by December 11, whether to resign from her position or be terminated. Representative Pigman's actions had a chilling effect on my candidacy, I considered



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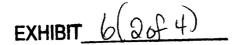
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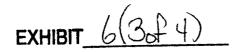
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In May of 2015, Representative Pigman attended a wedding with my wife and two children, driving them to Jacksonville for the weekend in my car. Photographs of him with my wife at the wedding were posted on Facebook afterward, as shown in Exhibits K, L, and M.

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observed in Representative Pigman (both of his marriages ended due to his extra-marital affairs),

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I filed the 2016 M01 report waiver timely in February, and will ensure that all future

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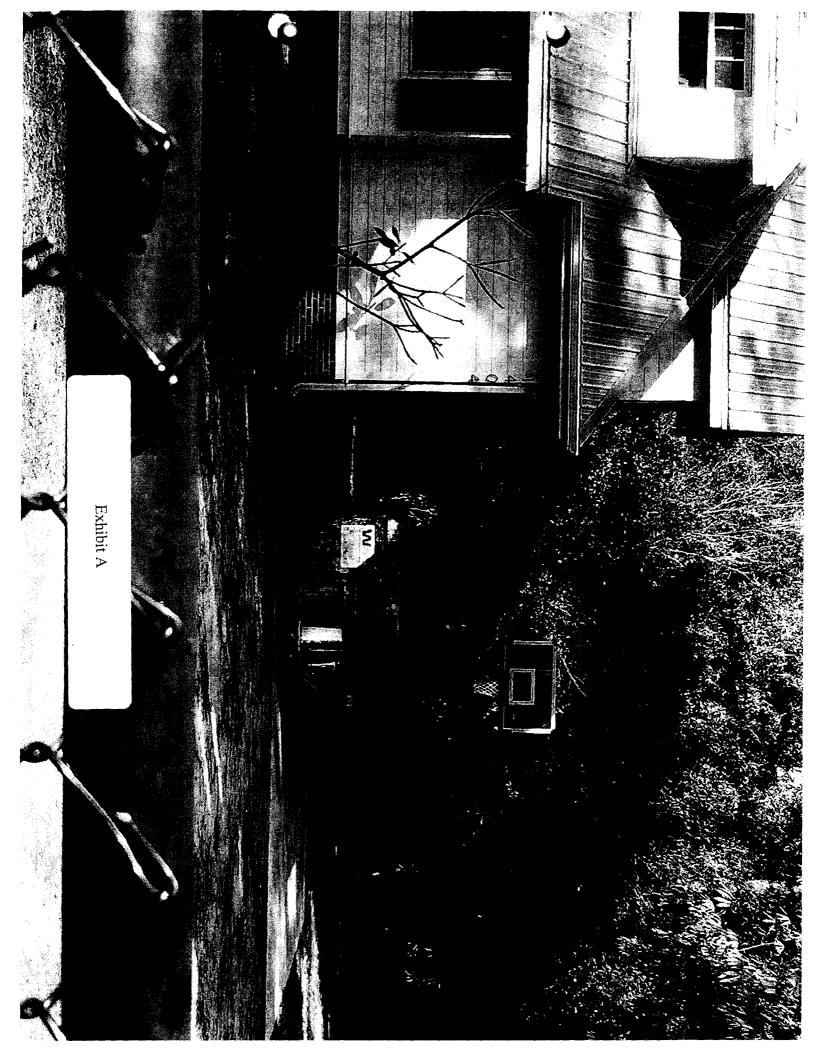
RESPECTFULLY SUBMITTED,

Den Maguell

DEVIN R. MAXWELL

Enclosures: as stated

**EXHIBIT** 6(40f4)



# Thanks to Randy, Marian, and Heather at @DelrayPlants for a great tour yesterday. #sayfie



RETWEETS

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**FAVORITE** 

riinin Ki

12:07 PM - 1 Oct 2013



Delray Plants @DelrayPlants · 1 Oct 2013

@CaryPigman Thank you again for taking the time to visit with us! Please come back and see us soon!















Representative Cary Pigman added 3 new photos — at Quail Creek Plantation.

December 10, 2014 in Okeachobae, FL + 3

We had a great time at the Highlands County Citrus Growers Assoc Annual Citrus Fun Shoot. Paul McGehee Jason Johnson Dustin Wood Libby Alexander Maxwell Jennifer Williamson were on my team. We may have shot slightly better than Senator Denise Grimsley 's team although this is disputed and a rematch is now being planned:)) Look closely at Libby's picture and note the spent cartridge being ejected!









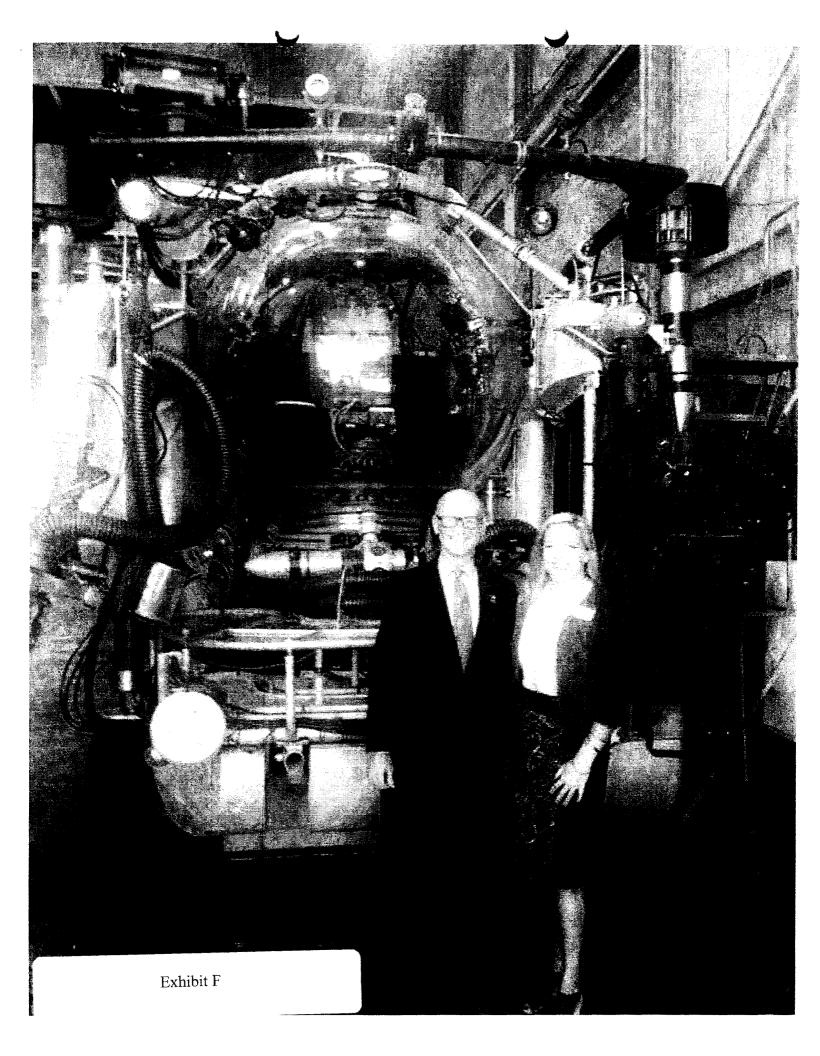


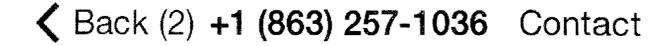




Exhibit H







Devin, I understand in small part how difficult it must be for you to lose your marriage. I am glad you recognize your volatility and I hope you learn to control it. I hope you reach out to your family and friends for their support. I want to do all I can to help keep you relevant in your children's lives. As an elected representative of Okeechobee County I cannot comply with your request to stay out of the country You must



Send



## Back (2) +1 (863) 257-1036 Contact

country. You must understand how that would be unfair to the other 30,000 county residents. Nor do I wish to pre-approve my travel plans with you. You are an adult and an attorney, if you cause physical harm to anyone, you better than most understand the grave consequences for you and your family. I have seen some of your texts to others, they are crude and offensive. You must know that these records will exist forever. I would ask





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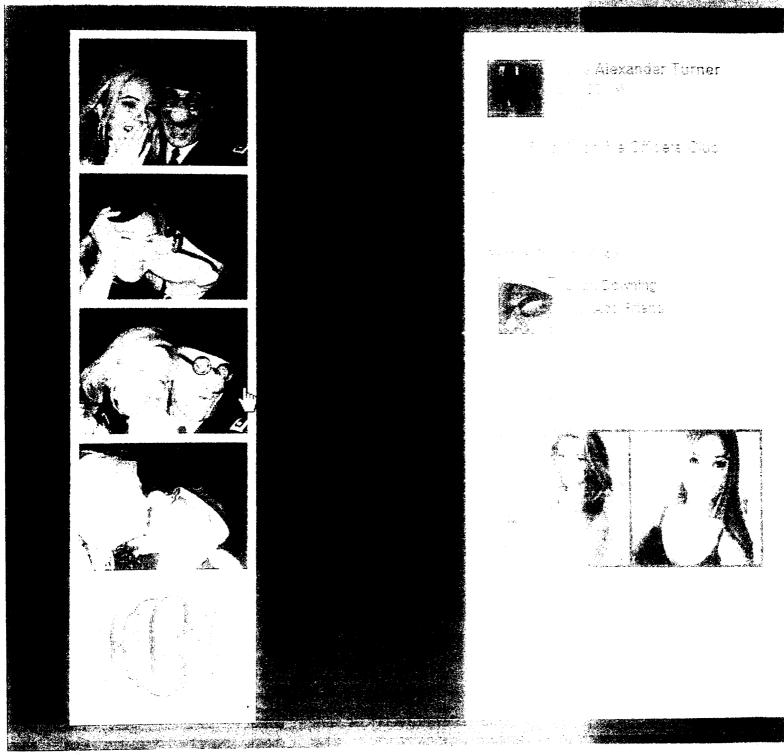


Exhibit L











Exhibit M

1 first ten minutes of school.

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- Q. I'm confused. Why wouldn't it? If she could participate in the lessons, why wouldn't that have an impact on her ability to learn?
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- Q. Okay. Has there ever been a professional recommendation that your child be tested?
  - A. Yes.
  - Q. Who offered that recommendation to you?
  - A. The teacher.
- Q. Do you have that in writing anywhere? We've never had the opportunity to see that there was a recommendation that the child be tested.
- A. No. It was verbal at a parent/teacher conference.
  - Q. Earlier on you had mentioned that a medical professional also recommended that your daughter be tested.

- 1 | Who was that medical professional?
- 2 A. Dr. Pigman.
- Q. Dr. Pigman? Is Dr. Pigman your current boyfriend?
- 5 MS. WEIKSNAR: Objection, your Honor; 6 relevance.
- 7 MR. GAA: Your Honor, I mean, if he's 8 recommending that the test be done --
- 9 THE COURT: Well, it goes to credibility.
- 10 That's fine. Go ahead. I'll overrule the objection.
- 11 THE WITNESS: Yes.
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## STATEMENT OF CANDIDATE

(Section 106.023, F.S.)
(Please print or type)

OFFICE USE	40	İLY	Į,	
2015 NOV				

The North College

I. Devin Maxwell ,					
candidate for the office of State Representative, District 55					
have been provided access to read and understand the requirements of					
Chapter 106, Florida Statutes.					
X Signature of Candidate  November 16, 2015  Date					

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

DS-DE 84 (05/11)

<b>EXHIBIT</b>	1	



#### FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street, Suite 224 Collins Building Tallahassee, Florida 32399-1050 Telephone: (850) 922-4539 Fax: (850) 921-0783

April 21, 2016

Devin R. Maxwell 205 Southwest Park Street Okeechobee, FL 34972-4972

RE: Case No.: FEC 16-037; Respondent: Devin R. Maxwell

Dear Mr. Maxwell:

On February 5, 2016, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2015 M11
- 2015 M12

You may respond to the allegations above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegations. Your response will be included as an attachment to the investigator's report.

When we conclude the investigation, a copy of the Report of Investigation will be mailed to you at the above address. You may file a response to the report within 14 days from the date the report is mailed to you. Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. A copy of the Staff Recommendation will be mailed to you and you may file a response within 14 days from the date the recommendation is mailed to you. Your timely filed response(s) will be considered by the Commission when determining probable cause.

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a

notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact Cedric Oliver, the investigator assigned to this case.

Sincerely,

Amy McKeever Toman

Executive Director

AMT/enr

Devin Maxwell 205 SW Park Street Okeechobee, Florida 34972

## February 25, 2016

## Via U.S. Mail

Erin Riley Florida Elections Commission 107 W. Gaines Street Suite 224 Collins Building Tallahassee, Florida 32399-1050

RE: Case No.: FEC 16-037; Respondent Devin Maxwell

Dear Ms. Riley:

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DEVIN R. MAXWELL

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RETWEETS

FAVORITE

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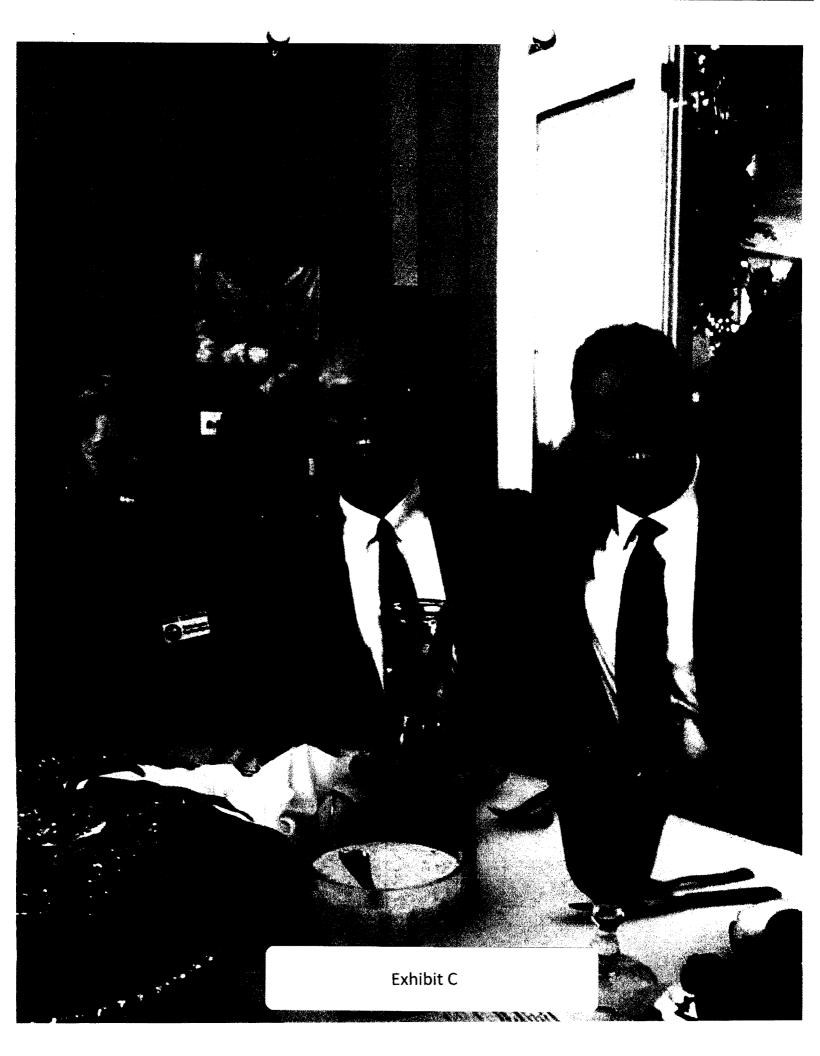
12:07 PM - 1 Oct 2013



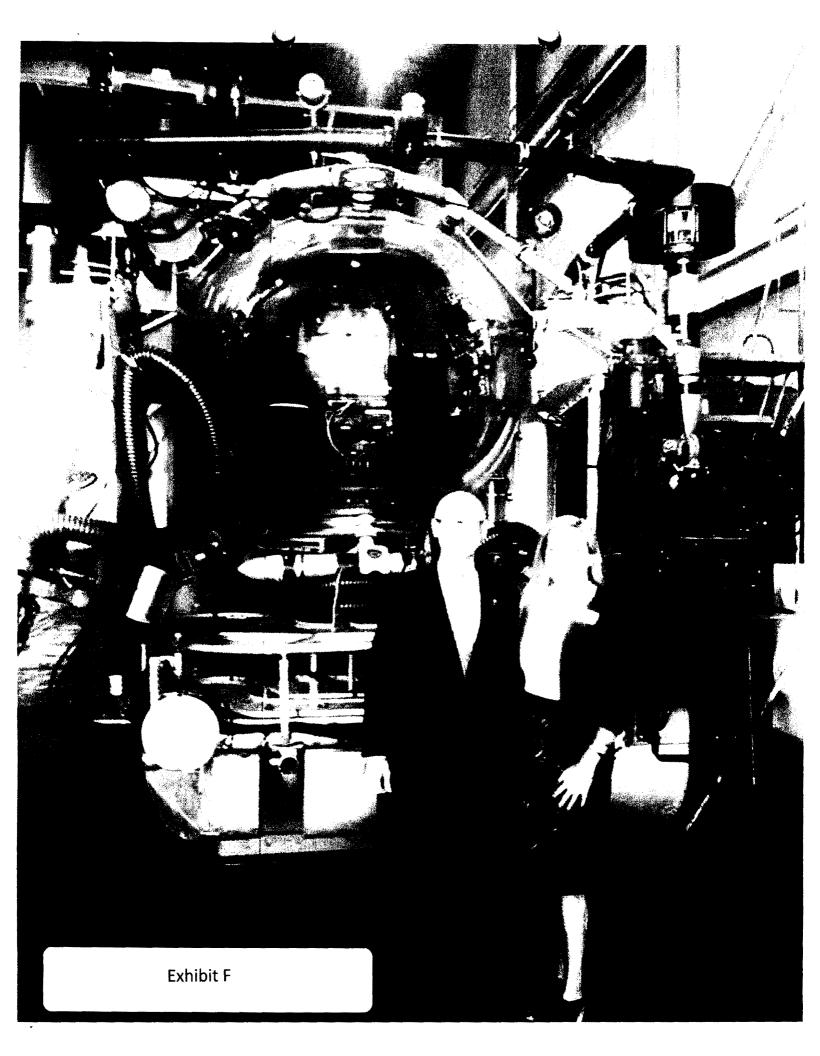
Delray Plants @DelrayPlants · 1 Oct 2013

@CaryPigman Thank you again for taking the time to visit with us! Please come back and see us soon!











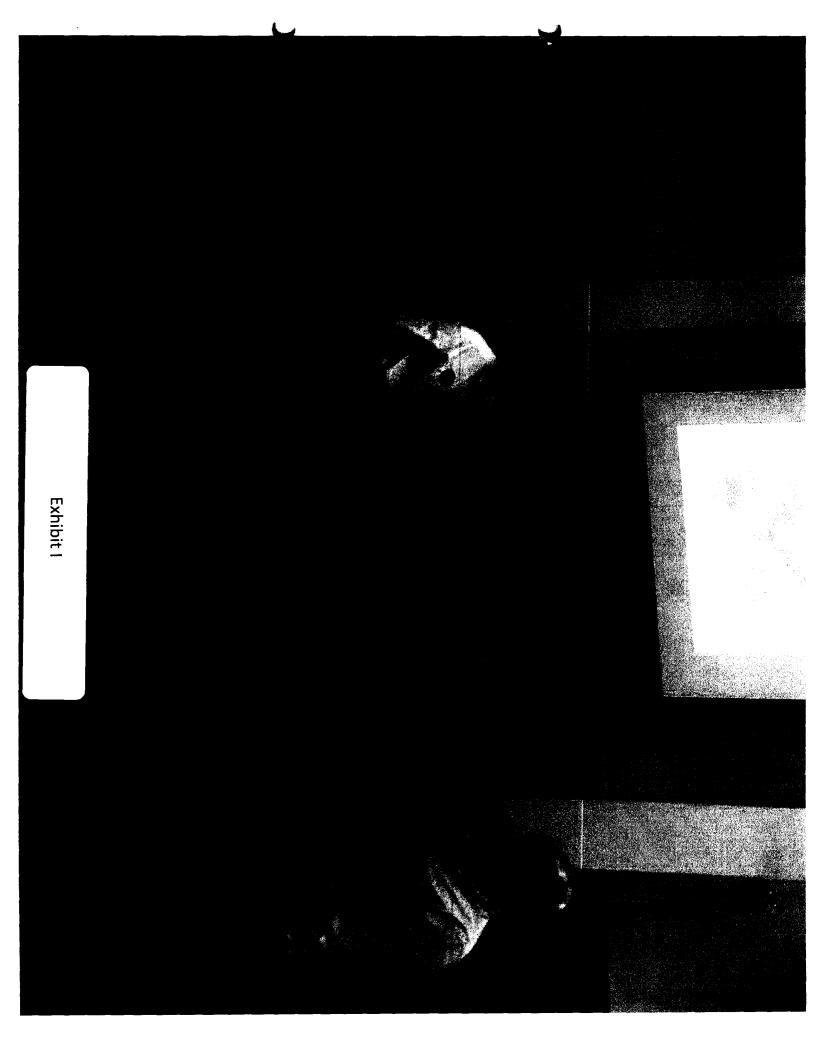




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Julie Alexander Turner May 25 • 🚱

At NAS Jacksonville Officers Club.

Share

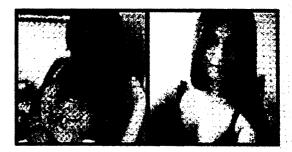
People You May Know



Sean Downing

& Add Friend

Sponsored 专



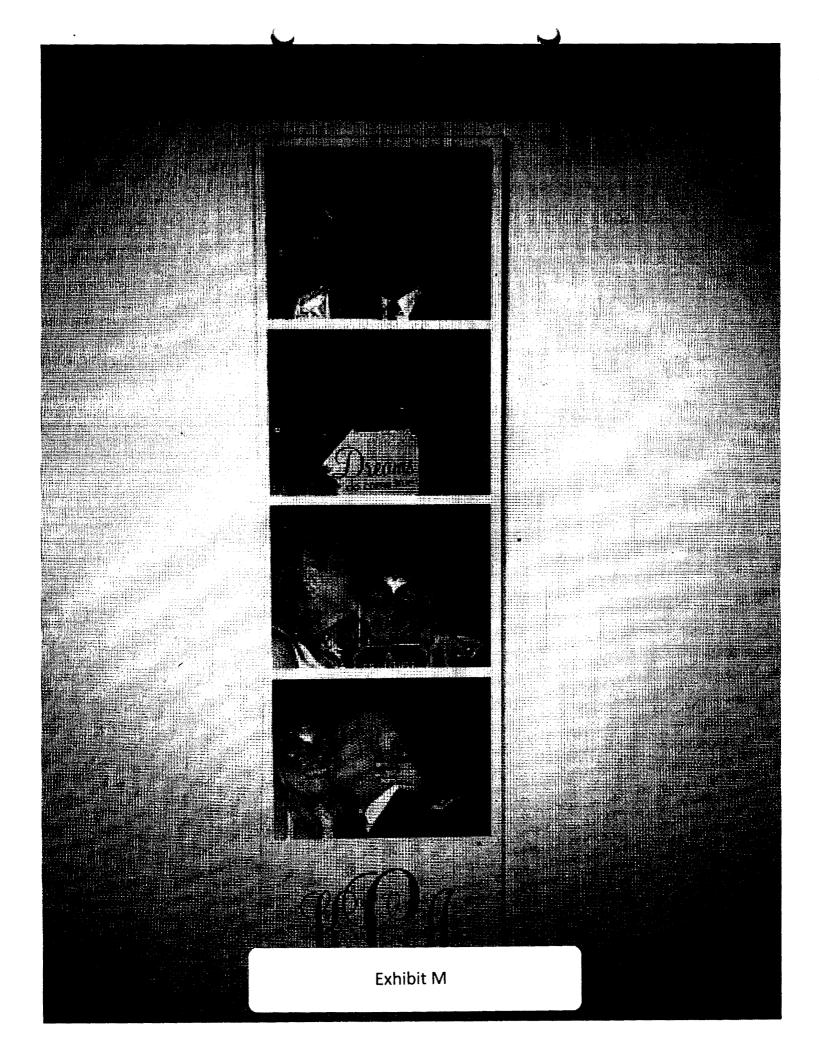
Meet Your Girlfriend

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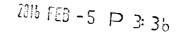
Who was that medical professional? 1 Α. Dr. Pigman. 3 Dr. Pigman? Is Dr. Pigman your current boyfriend? 4 5 MS. WEIKSNAR: Objection, your Honor; 6 relevance. 7 MR. GAA: Your Honor, I mean, if he's recommending that the test be done --8 9 THE COURT: Well, it goes to credibility. 10 That's fine. Go ahead. I'll overrule the objection. THE WITNESS: Yes. 11 12 BY MR. GAA: 13 Q. Do you think it's appropriate to be consulting with your boyfriend regarding medical decisions for your 14 children? 15 MS. WEIKSNAR: Objection, your Honor; 16 17 relevance. THE COURT: I'll sustain that. 18 BY MR. GAA: 19 Q. Ma'am, do you consult with Mr. Pigman on other 20 items that are relevant to the medical decisions and 21 educational decisions for your children? 22 MS. WEIKSNAR: Objection, your Honor; 23 relevance. 24

25

THE COURT: I'll sustain the objection.



# DIVISION OF ELECTIONS FEC NOTICE FORM



To FEC from Division of Elections

Candidate:

Devin Maxwell

**Account Number: 65046** 

Treasurer:

**Devin Maxwell** 

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late filings or failure to file notifications to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).

2015 M12

2015 M11

Sent By:

Kristi Reid Bronson

Date:

February 3, 2016

zjs

#### AFFIDAVIT

# STATE OF FLORIDA County of Leon

### Kristi Reid Bronson, being duly sworn, says:

- 1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
- 2. I am of legal age and competent to testify to the matters stated herein.
- 3. Devin Maxwell (65046) is a 2016 candidate for the office of State Representative. On November, 19, 2015, Devin Maxwell filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division designating himself as treasurer. (See attached documents and acknowledgment letter).
- 4. The 2015 M11 campaign treasurer's report was due on December, 10, 2015. Devin Maxwell filed this report on December, 15, 2015. (See attached letter and file receipt).
- 5. The 2015 M12 campaign treasurer's report was due on January, 11, 2016. Devin Maxwell filed this report on January, 26, 2016. (See attached letter and file receipt).

I hereby swear or affirm that the foregoing information is true and correct to the best of my knowledge.

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 3rd day

of Feburary . 2016.

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary

Public

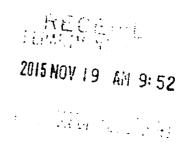
Personally Known

# **APPOINTMENT OF CAMPAIGN TREASURER** AND DESIGNATION OF CAMPAIGN **DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

NOTE: This form must be on file with the qualifying



officer before opening the campaign account.										OFFICI	USE	ONLY	
1. CHECK APPROPRIATE  Initial Filing of Form	•	s): filing to Change:	T	easur	er/Deputy	С	] Depos	itory		Office		Party	
2. Name of Candidate (in t	3.	3. Address (include post office box or street, city, state, zip											
Devin Maxwell					code) 1404 Southwest 7th Avenue								
4. Telephone	5. E-mail address			1	Okeechobee, Florida 34974								
(863 ) 697-9830	devinmaxwell@yahoo.com												
6. Office sought (include of		7. If a candidate for a <u>nonpartisan</u> office, check if											
State Representative, District 55					applicable:  My intent is to run as a Write-In candidate.								
8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a													
Write-In ☐ No Party Affiliation ☐ Republican Party candidate.													
9. I have appointed the following person to act as my X Campaign Treasurer Deputy Treasurer													
10. Name of Treasurer or Deputy Treasurer  Devin Maxwell													
11. Mailing Address	······································	12. Telephone											
205 Southwest Park St	-11	(863)697-9830											
13. City	14. C	ounty	15. Sta	te	16. Zip Code		17. E-mail address						
Okeechobee	Okee	chobee	Florida		34972 devinmaxwell@yahoo.com								
18. I have designated the following bank as my Primary Depositor								y Secondary Depository					
19. Name of Bank	ddress	dress											
Seacoast National Ban	500 N	00 North Parrott Avenue											
21. City	· · ·				23.				24. Zip Code				
Okeechobee	echobee Okeechobee				Florida				34972				
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.													
25. Date	26. S	. Signature of Candidate											
November 16, 2015	X	1 Den Wassell											
27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)													
Devin Maxwell , do hereby accept the appointment											t		
(Please Print or Type Name)													
designated above as:   Campaign Treasurer Deputy Treasurer.													
November 16, 2015 X Jen Maywell													
Date	Date				Signature of Campaign Treasurer or Deputy Treasurer								



Governor

KEN DETZNER
Secretary of State

November 20, 2015

Devin Maxwell 1404 Southwest 7th Avenue Okeechobee, Florida 34974

Dear Mr. Maxwell:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on November 19, 2015. Your name has been placed on the 2016 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **December 10, 2015**. The report will cover the period of November 1-30, 2015 (M11). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

### Credentials and Sign-ons

Below is the web address to access the EFS and your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your campaign treasurer, and deputy treasurers are responsible for protecting these passwords from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: https://efs.dos.state.fl.us

Identification Number: 65046





Devin Maxwell November 20, 2015 Page Two

#### Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains your confidential pin numbers.

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as What is your mother's maiden name?) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

# Timely Filing

All reports filed must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

#### **Electronic Receipts**

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the candidate and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Devin Maxwell November 20, 2015 Page Three

## **Instructions and Assistance**

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <a href="http://dos.myflorida.com/elections/">http://dos.myflorida.com/elections/</a>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, Candidate and Campaign Treasurer Handbook, Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/zjs

**Enclosures** 

### Treasurer Report Status

ID: 65046 Name: Devin Maxwell

Report: 2015 - M11 - 1

Print Date: 2/2/2016 4:25:24 PM

Election: 2016 General Election

Covers: 11/19/2015-11/30/2015

Due: 12/10/2015

Amended Y Waiver

Filed: 12/15/2015 11:58:43 AM

File Status: Filed Report

Reviewed: 12/15/2015

Review Status: Reviewed

Detail Complete: No Detail Records Found

**Number of Detail Records** 

0

File Method: Web Filed

Contributions:

Entry Method: Web Data Entry

Expenditures: 0

Fund Transfers: 0

Pending Queued Items: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'



# FLORIDA DEPARTMENT OF STATE

#### Ken Detzner Secretary of State

# **DIVISION OF ELECTIONS**

December 21, 2015

Devin Maxwell 205 Southwest Park Street Okeechobee, FL 34972-4972

CAN 65046

Dear Mr. Maxwell:

The notification that you had no reportable activity for the report deadline of December 10, 2015, was not filed until December 15, 2015. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

mtoReid B

### Treasurer Report Status

ID: **65046** Name: Devin Maxwell

Report: 2015 - M12 - 2

Print Date: 2/2/2016 4:25:50 PM

Election: 2016 General Election

Covers: 12/1/2015-12/31/2015

Amended Waiver

Due: 1/11/2016

Filed: 1/26/2016 9:07:10 AM

File Status: Filed Report

Reviewed: 1/26/2016

Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed

**Number of Detail Records** Contributions: 0

Entry Method: Web Data Entry

Expenditures:

Fund Transfers: 0

Pending Queued Items: 0

Distributions:

To Print Report: Right Click Mouse and Select 'Print'



# FLORIDA DEPARTMENT OF STATE

#### Ken Detzner Secretary of State

#### DIVISION OF ELECTIONS

February 2, 2016

Devin Maxwell 205 Southwest Park Street Okeechobee, FL 34972-4972

CAN 65046

Dear Mr. Maxwell:

The notification that you had no reportable activity for the report deadline of January 11, 2016, was not filed until January 26, 2016. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely.

Kristi Reid Bronson, Chief Bureau of Election Records