

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Douglas Mayorga

Case No.: FEC 15-307

TO: Douglas Mayorga
8720 NW 33rd Street
Apt. 171
Doral, FL 33172

Orlando Lopez
10355 SW 3 Street
Sweetwater, FL 33174

NOTICE OF HEARING (INFORMAL HEARING)

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.

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 15-307

v.

**Douglas Mayorga,
Respondent.**

ORDER OF PROBABLE CAUSE

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

Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

Count 1:

During his 2015 campaign for Mayor of Sweetwater, Florida, Respondent violated Section 106.143(6), Florida Statutes, when Respondent failed to include a disclaimer on his Don't Be Afraid Political Advertisement.

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



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Douglas Mayorga, Respondent
Orlando Lopez, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Douglas Mayorga

Case No.: FEC 15-307

TO: Douglas Mayorga
11567 SW 6 Street
Sweetwater, FL 33174-3701

Orlando Lopez
10355 SW 3 Street
Sweetwater, FL 33174

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **May 19, 2016 at 12:30 pm**, *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.

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See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
May 3, 2016

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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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Douglas Mayorga

Case No.: FEC 15-307

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.143(6), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on January 28, 2016, the following facts and law support this staff recommendation.

1. On April 3, 2015, the Florida Elections Commission ("Commission") received a complaint from Orlando Lopez ("Complainant") alleging that Douglas Mayorga ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was a first time candidate for Mayor of Sweetwater, Florida, in the May 12, 2015 election. Respondent was not the incumbent. Complainant defeated Respondent in the election. (Attachment A)

3. On or about July 8, 2015, the Executive Director sent notification to Respondent that Commission staff would investigate the following section of law:

Section 106.143(6), Florida Statutes: Douglas Mayorga, a 2015 candidate for Mayor of Sweetwater, paid for and distributed one or more political advertisements in which the word "for" was not included between his name and the office for which he was running, as alleged in the complaint

4. During his campaign, Respondent circulated political advertisement cards. Because Respondent was not the incumbent, Respondent was required to use the word "for" between his name and the office for which he was running on his political advertisements (Section 106 143(6), Florida Statutes)

5. On the front of one of Respondent's political advertisement cards, it states, "Don't be afraid!!! This May 12, Vote for Douglas ***** Mayorga Mayor of Sweetwater" ("Don't Be Afraid Political Advertisement"). On the back, at the top of the "Don't Be Afraid Political Advertisement, it states, "Douglas *****Mayorga Mayor of Sweetwater. Respondent, who was not the incumbent, did not use the word "for" between his name and the office for which he

was running on the political advertisement. (ROI Exhibit 3)¹

6. Investigator Wade made four unsuccessful attempts to speak with Respondent during her investigation. (Attachment B, Phone Log Entries 9-12)

7. Based on the information above, it appears Respondent did not use the word "for" between his name and the office for which he was running on his Don't Be Afraid Political Advertisement.

8. "Probable Cause" is defined as reasonable ground 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).

9. The above facts show that Respondent was a first time candidate for Mayor of Sweetwater, Florida, in the May 12, 2015 municipal election. Because Respondent was not the incumbent, he was required to use the word "for" between his name and the office for which he was running on his political advertisements. However, Respondent failed to do so on his Don't Be Afraid Political Advertisement.

Based upon the information above, I recommend that the Commission find probable cause to charge Respondent with:

Count 1:

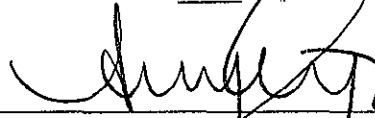
During his 2015 campaign for Mayor of Sweetwater, Florida, Respondent violated Section 106.143(6), Florida Statutes, when Respondent failed to include a disclaimer on his Don't Be Afraid Political Advertisement.

Respectfully submitted on March 17, 2016.



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation on the 17th day of March 2016



Amy Toman
Executive Director

¹ The Report of Investigation shall be referred to herein as "ROI."

16 JAN 3 22
RECEIVED JAN 16 2015

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.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

☒ Initial Filing of Form ☐ Re-filing to Change: ☐ Treasurer/Deputy ☐ Depository ☐ Office ☐ Party

2. Name of Candidate (in this order: First, Middle, Last)

DOUGLAS MAYORGA

3. Address (include post office box or street, city, state, zip code)

11567 SW 6 ST
MIAMI, FL 33174

4. Telephone

(786) 260-1965

5. E-mail address

douglas@mayorgaformayor.com

6. Office sought (include district, circuit, group number)

MAYOR

7. If a candidate for a nonpartisan office, check if 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 ☒ Campaign Treasurer ☐ Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

MARIA LOAISIGA

11. Mailing Address

11567 SW 6 ST.

12. Telephone

(786) 260-1572

13. City

MIAMI

14. County

DADE

15. State

FL

16. Zip Code

33174

17. E-mail address

treasurer@mayorgaformayor.com

18. I have designated the following bank as my

☒ Primary Depository ☐ Secondary Depository

19. Name of Bank

CITIBANK

20. Address

7795 W FLAGLER ST.

21. City

MIAMI

22. County

DADE

23. State

FL

24. Zip Code

33144

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

JANUARY 15 2015

26. Signature of Candidate

X

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, MARIA LOAISIGA, do hereby accept the appointment
(Please Print or Type Name)

designated above as:

☒ Campaign Treasurer ☐ Deputy Treasurer.

01-15-2015

Date

X Maria Loaisiga
Signature of Campaign Treasurer or Deputy Treasurer



miamidade.gov

Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-8683 F 305-499-8547
TTY 305-499-8480

CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Penelope Townsley, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the attached is a true and correct copy of the Official Results for the municipal offices listed below in the **Sweetwater General Municipal Election** conducted on May 12, 2015:


MAYOR
COMMISSIONER – GROUP 5
COMMISSIONER – GROUP 6
COMMISSIONER – GROUP 7

WITNESS MY HAND AND

OFFICIAL SEAL, AT MIAMI,

MIAMI-DADE COUNTY, FLORIDA,

ON THIS 15th DAY OF May, 2015



Penelope Townsley
Supervisor of Elections
Miami-Dade County

Enclosure

ATTACHMENT A, page 2

SUMMARY REPT-GROUP DETAIL

OFFICIAL GENERAL ELECTION
SWEETWATER, FLORIDA
MAY 12, 2015

OFFICIAL RESULTS

RUN DATE:05/15/15 10:27 AM

REPORT-EL45A PAGE 001

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	PROV
PRECINCTS COUNTED (OF 6)	6	100.00				
REGISTERED VOTERS - TOTAL	9,057					
BALLOTS CAST - TOTAL	2,177		1,040	0	1,136	1
VOTER TURNOUT - TOTAL		24.04				
MAYOR CITY: SWEETWATER						
Vote for 1						
Deborah Centeno	598	35.60	384	0	214	0
Jose M. Diaz (Candidate Disqualified)	0		0	0	0	0
Orlando Lopez	936	55.71	426	0	510	0
Douglas Mayorga	146	8.69	72	0	73	1
Total	1,680		882	0	797	1
Over Votes	15		1	0	14	0
Under Votes	482		157	0	325	0
COMMISSIONER - GROUP 5 CITY: SWEETWATER						
Vote for 1						
Jose M. Guerra	975	47.82	459	0	515	1
Idania Llanio	1,064	52.18	503	0	561	0
Total	2,039		962	0	1,076	1
Over Votes	5		1	0	4	0
Under Votes	133		77	0	56	0
COMMISSIONER - GROUP 6 CITY: SWEETWATER						
Vote for 1						
Prisca Barreto	1,159	56.73	514	0	644	1
Elsa Thompson	884	43.27	450	0	434	0
Total	2,043		964	0	1,078	1
Over Votes	8		2	0	6	0
Under Votes	126		74	0	52	0
COMMISSIONER - GROUP 7 CITY: SWEETWATER						
Vote for 1						
Saul Diaz	994	48.39	496	0	497	1
Manuel Duasso	1,060	51.61	479	0	581	0
Total	2,054		975	0	1,078	1
Over Votes	7		2	0	5	0
Under Votes	116		63	0	53	0

Marie D. Schmidt
Paul
 05/15/15

**FLORIDA ELECTIONS COMMISSION
PHONE LOG**

Case No.: FEC 15-307

Respondent: Douglas Mayorga

Complainant: Orlando Lopez

1. **Date and time:** 10/29/15; 11:50 am

Name: Respondent

Phone #: called for Eric Lipman

Summary: Respondent telephoned the office to speak with Mr. Lipman. I informed Respondent that Mr. Lipman is away from the office and he stated that he wanted to let Mr. Lipman know his circumstances in not being able to pay the consent order fine by the October 30, 2015 deadline. Respondent stated that he needed more time to pay the

I explained to Respondent that since he has an attorney of record (Trelvis Randolph), that it is improper for staff to speak to him directly about this case. Respondent persisted to tell me that he could pay the monies due by the first week of January 2016.

I suggested Respondent contact his attorney and have his attorney contact Mr. Lipman to discuss potential modification of the consent order due date.

Memo to File? Yes – please see email to Eric Lipman and Margie Wade dated 10/29/15 @ 12:03 pm.

Entered by: DMalphurs

2. **Date and time:** October 29, 2015 @ 12: 21 p.m.

Name: Trelvis Randolph, R's attorney

Phone #: 305-350-5332

Summary: I called Mr. Randolph regarding the telephone call his client made to the Commission Clerk. There was no answer; I did not leave a message.

Memo to File? No

Entered by: MBW

3. **Date and time:** October 29, 2015 @ 2: 27 p m.

Name: Trelvis Randolph, R's attorney

Phone #: 305-350-5332

Summary: I called Mr. Randolph regarding the telephone call his client made to the Commission Clerk. There was no answer; I left a message.

Memo to File? No

Entered by: MBW

4. **Date and time:** October 29, 2015 @ 2: 32 a.m

Name: Trelvis Randolph, R's attorney

Phone #: 305-350-5332

Summary: Mr. Randolph returned my call. He stated that he understood that the total fine was He stated that his client stated that he call the FEC and got an extension until January. I explained that his client did not get an extension and if the case returns for investigation; there is no guarantee that the fine will remain at I explained that the

ATTACHMENT B, page 1

is for the PPC CO, and the deadline is tomorrow. I reiterated that the fine would settle. He stated that he would call his client back and call me back. I agreed.

Memo to File? No
Entered by: MBW

5. **Date and time:** October 29, 2015 @ 2: 47 p m.

Name: Trelvis Randolph, R's attorney

Phone #: 305-350-5332

Summary: Mr. Randolph called me back. He stated that he had discussed the matter with his client and explained everything to his client. He stated that his client stated that he cannot pay the fine at this time. Mr. Randolph stated that he would not be involved in the case past this point. I asked if he could send a written statement that he is withdrawing as the attorney and he agreed.

Memo to File? No
Entered by: MBW

6. **Date and time:** November 16, 2015 @ 2:49 p m.

Name: Complainant

Phone #: 305-389-3200

Summary: I called Complainant to introduce myself as the investigator assigned to the case and to query whether he had any addition information. He did not answer; I left a message on his voice mail.

Memo to File? No
Entered by: MBW

7. **Date and time:** November 16, 2015 @ 3:29 p m

Name: Complainant

Phone #: 305-389-3200

Summary: Complainant returned my call. He stated that the first ad was in the local newspaper. The second was left on the counter of a local store and he picked it up. He stated he did not recall if he got the third ad at a later date. He stated that he filed the complaints as he got the ads. He stated that he would check his records for the dates he received the ads and call me back on Wednesday.

Memo to File? No
Entered by: MBW

8. **Date and time:** November 18, 2015 @ 12:11 p.m.

Name: Marie Schmidt, Sweetwater City Clerk

Phone #: 305-221-0411

Summary: I called Ms. Schmidt to inform her that I was sending the Affidavit of FO to her via email. She stated that she had just received the email. She stated that she would pull the information and get it back to me as soon as possible.

Memo to File? No
Entered by: MBW

9. **Date and time:** January 11, 2016 @ 2:50 p m.

Name: Respondent

ATTACHMENT B, page 2

Phone #: 786-260-1965

Summary: A gentleman answered the phone. I asked for Douglas Mayorga. He stated "you have the wrong number" and hung up the phone. (This is the contact number listed on Respondent's campaign advertisements.)

Memo to File? No

Entered by: MBW

10. **Date and time:** January 11, 2016 @ 3:41 p.m.

Name: Respondent

Phone #: 305-620-5690 (from Anywho.com)

Summary: I reached a recording stating the number has been disconnected or is no longer in service. (Also checked Switchboard.com and ReferenceUSA.com with no results.)

Memo to File? No

Entered by: MBW

11. **Date and time:** January 14, 2016 @ 8:49 a.m.

Name: Respondent

Phone #: 786-260-1965

Summary: I called again to see if I would get a different response. A gentleman answered the phone. I asked for Douglas Mayorga. He stated "you have the wrong number" and hung up the phone. (This is the contact number listed on Respondent's campaign advertisements.)

Memo to File? No

Entered by: MBW

12. **Date and time:** January 14, 2016 @ 8:51 a.m.

Name: Respondent

Phone #: 786-260-1572

Summary: I called to discuss the ads at issue. I received a busy signal. I waited a few minutes and called back; I still received a busy signal.

Memo to File? No

Entered by: MBW

13. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

ATTACHMENT B, page 3

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 15-307

Respondent: Douglas Mayorga

Counsel for Respondent: None

Complainant: Orlando Lopez

Counsel for Complainant: None

On April 3, 2015, the Florida Elections Commission received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statute:

Section 106.143(6), Florida Statutes, failure of a candidate who is not the incumbent to include the word "for" in his political advertisement between his name and the office for which he is running.

I. Preliminary Information:

1. Respondent was a candidate for the office of Mayor for the City of Sweetwater. There were three candidates vying for the office. Respondent and Complainant were opponents. Respondent finished third; he received 8.69% of the vote.

2. Initially, Respondent was represented by Trelvis D. Randolph.¹ Counsel subsequently withdrew from the case.

3. Complainant was a candidate for Mayor of Sweetwater in the May 12, 2015 municipal election. There was no incumbent candidate in the race. Complainant won; he received 55.71 % of the vote. Prior to the 2015 election, Complainant served as Vice-Mayor of Sweetwater, Florida.

II. Alleged Violation of Section 106.143(6), Florida Statutes:

4. I investigated whether Respondent violated this section of the elections laws by publishing a political advertisement that did not include the word "for" in the advertisement between his name and the office he was seeking when he was not the incumbent.

5. Complainant submitted a palm card with the complaint. According to Complainant, Respondent published the palm cards that did not contain "for" between his name and the office he was seeking. The palm card reads, "This 12 May 2015 Vote for Douglas Mayorga Mayor of Sweetwater."² The disclaimer at the bottom of the palm card reads, "Political Advertisement paid for and approved by Douglas Mayorga for Mayor of Sweetwater." To review the palm card, refer to Exhibit 1.

6. In a separate mailing, Complainant provided a flyer³ distributed by Respondent's

¹ Mr. Randolph represented Respondent during the negotiations for a pre-probable cause consent order.

² This is the same advertisement at issue in FEC 15-289. FEC 15-289 was filed on March 23, 2015. FEC-307 was filed on April 3, 2015 (ten days later).

³ This ad was not at issue in the case.

campaign. The flyer reads, VOTE! Mayorga For Mayor City of Sweetwater .” The flyer contained the word “for” between his name and the office he was seeking. To review the flyer, refer to Exhibit 2.

7. During telephone interview on November 16, 2015, Complainant stated that he personally received the palm card but could not recall how or when he received it. He stated that he thought the flyer was published in a local newspaper but he could not recall when it was published.

8. Respondent did not provide a written response to the complaint; however, he provided another example of his political advertising. The ad reads, “...Do Not Be Afraid! This 12 May, Vote for Douglas Mayorga Mayor of Sweetwater.” (The ad provided by Respondent does not contain the word “for” between his name and the office he was seeking.) To review the advertisement provided by Respondent, refer to Exhibit 3

9. I attempted to reach Respondent four times by telephone⁴. A man answered the telephone; I asked for Respondent, the man said I had the wrong number. (I called the number listed on Respondent’s advertisement and in the case file as his contact number.) I also mailed a questionnaire affidavit to Respondent at his address of record. The questionnaire was not returned by the post office as undeliverable or by Respondent.

10. I called Larry Reyes, Flyer Studios, the printer listed on Respondent’s campaign reports. He acknowledged that they printed flyers, cards and a banner for Respondent’s campaign. He stated that they did not design the advertisements; Respondent provided camera ready copies and they printed the advertisements. I requested copies of the invoices from Mr. Reyes to show the dates the ads were printed but did not receive copies of the invoices.

11. No record of Respondent having previously violated this section of the election laws was found.

III. FEC History:

12. There are two additional cases filed against Respondent by the same Complainant.

Conclusion:

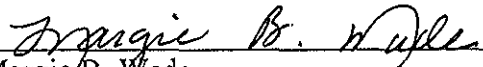
13. Because I did not have any success in contacting Respondent by telephone previously, I made a final attempt to contact him by sending an email to the email address listed on his DS-DE 9. The email was returned “undeliverable. To review the email, refer to Exhibit 4

14. Ms Marie Schmidt, Sweetwater City Clerk, served as the filing officer for Respondent’s campaign. Ms Schmidt stated that Respondent was a first-time candidate. According to Ms. Schmidt, candidates are not given a physical copy of the Election Laws or the Candidate Handbook; however, they are given a copy of the Candidate Elections Calendar. The Calendar contains important dates and a statement that refers the candidate to the Division of Elections website to download the Candidate Campaign Handbook and the State Election Laws. To review the Candidate Elections Calendar, refer to Exhibit 5. To review the list for the candidate packet, refer to Exhibit 6. To refer to the Affidavit of Filing Officer, refer to Exhibit 7.

⁴ I also checked three websites, referenceUSA.com, Anywho.com, and Switchboard.com, in an attempt to find a viable number for Respondent but no numbers were listed for Respondent on referenceUSA.com or Switchboard.com. The number listed on Anywho.com had been disconnected.

15. On January 16, 2015, Respondent filed his statement of candidate form with the filing officer, certifying that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes. To review the statement of candidate form, refer to Exhibit 8.

Respectfully submitted on January 28, 2016.


Margie B. Wade
Investigation Specialist

Current address of Respondent

Douglas Mayorga
11567 SW 6 Street
Sweetwater, Florida 33174

Current Address of Complainant:

The Honorable Orlando Lopez
10355 SW 3 Street
Sweetwater, Florida 33174

Name and Address of Filing Officer:

Marie Schmidt
Sweetwater City Clerk
500 SW 109 Avenue
Sweetwater, Florida 33174

Copy furnished to:

David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Douglas Mayorga -- FEC 15-307

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Palm Card
Exhibit 2	Flyer
Exhibit 3	Ad Provided by Respondent
Exhibit 4	Email to Respondent
Exhibit 5	Candidate Elections Calendar
Exhibit 6	Candidate Packet
Exhibit 7	Affidavit of Filing Officer
Exhibit 8	Statement of Candidate

ESTE 12 DE MAYO 2015

Vote por

DOUGLAS ★★★★★★
MAYORGA
ALCALDE DE SWEETWATER

EMPLEOS - CALIDAD DE VIDA - EDUCACION - JUSTICIA - ORDEN Y DESARROLLO ECONOMICO

CANDIDATO CON UN GRAN CORAZON!!

Mayor información:

786.260.1965

douglas@mayorgaformayor.com

www.mayorgaformayor.com

EXHIBIT

1 page 1 of 2

DOUGLAS ★★★★★★ MAYORGA

ALCALDE DE SWEETWATER

1. Eliminación de gastos hasta un 30% de la municipalidad
2. Eliminación de las Cámaras en los semáforos
3. Privatizar activos sin uso de la ciudad
4. Crear un Banco Municipal para dar capital semilla a nuevos y activos empresarios
5. No salarios sobre \$80,000
6. Eliminación de cargos por licencias a nuevos negocios que generen empleos de ciudadanos locales
7. Incentivos tributarios para la creación, formalización de empresas y generación de empleos de alto nivel productivo y técnico
8. Crear un parque tecnológico y desarrollo de plantas gemelas de manufactura liviana
9. Atraer empresas e industrias de alta capacidad tecnológica y dar empleo a nuestros jóvenes de Sweetwater como prioridad
10. Promover y crear una bolsa de empleos para las personas mayores activamente productivas
11. Fomento a la lectura y al desarrollo científico de la juventud y la niñez con actividades de concurso con premio y becas
12. Recreación y Deporte con academias y competencias regionales en Baseball, Soccer, Basquetbol, Tenis, Raquetball, Boxeo y otras oportunidades deportivas
13. Construcción de una Escuela Secundaria pública para Sweetwater y un Centro vocacional
14. Seremos la administración de la Oración. Oramos todas las mañanas por nuestros ciudadanos para que reine la Paz en los Hogares y existan consejeros familiares para nuestros jóvenes
15. Crearemos un programa de Becas para que nuestros jóvenes estudien y se fortalezcan cuando finalicen su escuela secundaria



VOTE

Mayorga

FOR MAYOR
City of Sweetwater

**A fresh start ...
A Clean City**

www.mayorgaformayor.com

786-260-1572



QUIEN ES DOUGLAS MAYORGA

Douglas@mayorgaformayor.com

Nacido en Nicaragua, la hermosa tierra de lagos y volcanes, de gente humilde, trabajadora y esforzada, de padres empresarios muy conocidos en el país, Don José Mayorga y Aura Lila Solorzano de Mayorga (qepd) y que para 1977 abandona su país para irse a la isla del encanto Puerto Rico, donde se formó educativamente en una de las universidades de primer instancia en los Estados Unidos, la UPR recinto de Río Piedras. Soltero, padre de 4 hermosos hijos ya todos profesionales. **El Sr. Mayorga** está también al frente de la cumbre nacional de líderes hispanos de minorías empresariales en America, un grupo de reflexión y análisis sobre asuntos comerciales, oportunidades y de colaboración entre el ámbito de la educación y la emprendimiento a los negocios sea de interés local como internacional.

Hoy en día, como Presidente de Cámara de Comercio de las Minorías (CCM) (www.minoritychamber.net), con base en la ciudad de Washington DC, ha llevado a cabo una extraordinaria labor en la comunidad del sur de la Florida creando más de 5,000 negocios bajo su asesoría y dirección, y más de 50,000 empleos mediante las ferias de empleos organizada por su entidad desde el 2000. Hoy en día trae su experiencia empresarial, comunitaria, intergubernamental y corporativa por el bien de la ciudadanía de Sweetwater, ciudad incorporada al Condado de Miami Dade County en la Florida, los Estados Unidos de América. Nuestra campaña es auténticamente independiente con una plataforma de inteligencia empresarial y comunitaria

PORQUE NUESTRA CANDIDATURA?

Sweetwater, posee una imperante necesidad de contar con un gobierno de características propias de una ciudad de los Estados Unidos que sea capaz de enfrentar los problemas y retos actuales que tiene el municipio con el objeto de avanzar hacia una ciudad a la modernización, pacífica, educada y participante de las decisiones de su administración, posibilitando que todos asuman el compromiso de un comportamiento colectivo caracterizado por la integridad.

De la mano de nuestra administración, la empresa privada y la comunidad nacional e internacional que son parte de mis relaciones, sentaremos las bases para que Sweetwater se transforme en una ciudad a futuro con un potencial al desarrollo industrial, turístico, empresarial, educativo, institucionalmente confiable, transparente e independiente; económicamente creciente, productiva y atractiva; nodo competitivo de desarrollo tecnológico, logístico y ambientalmente sostenible.

Ha nacido una nueva Era para Sweetwater!!

**Este Mayo 12, 2015 VOTE POR
DOUGLAS MAYORGA
ALCALDE PARA TODOS !!**

EXHIBIT 2 page 2 of 2



ATREVASE, NO TENGA MIEDO!!! El próximo 12 de Mayo, VOTE por

DOUGLAS ★★★★★★ MAYORGA ALCALDE DE SWEETWATER

- No cámaras en semáforos
- Sin miedo, no habrá mas terror
- Crear 500 empleos en el primer año
- Clínica Médica de atención primaria
- Banco Municipal para Prestamos
- No permitiré abuso, ni injusticia

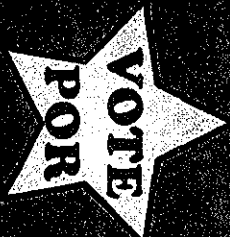
Mayor información:

786.260.1965

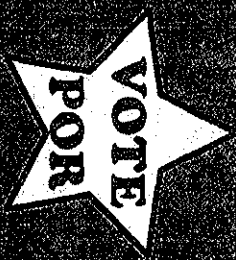
douglas@mayorgaformayor.com

www.mayorgaformayor.com

Political Advertisement paid for and approved by Douglas Mayorga for Mayor of Sweetwater.



DOUGLAS ★★★★★★
MAYORGA
ALCALDE DE SWEETWATER



¿Quien es el candidato Douglas Mayorga?

- Simple y sencillo parte del pueblo
- Vive en la ciudad desde hace 13 años
- Con estudio de alto nivel en Finanzas y Periodismo
- Ejecutivo del Mundo Corporativo con amplias relaciones en el Gobierno Federal
- Nacido en Nicaragua y Criado en Puerto Rico
- Padre de 4 hijos profesionales y abuelo de una nieta
- Presentador de Televisión todos los Domingos a la 8:30 por Mira TEVE
- Presidente de la Cámara de Comercio de las Minorías (CCM) con oficinas centrales en Washington DC (www.minoritychamber.net)
- Presidente de la Fundación al Desarrollo Económico a las Minorías
- Presidente del Periodico Sweetwater al Dia y Wynwood al Dia
- Capellán consejero de las cárceles para jóvenes de minorías
- Fundador de las relaciones bilaterales entre el estado de Israel y las empresas de Minorías en los Estados Unidos
- Ha creado más de 5,000 empresas con la CCM, formado 50,000 empleos con las ferias desde el 2000

“Humilde y Forjado con la ayuda de Dios”

Esté 12 de Mayo, su voto por DOUGLAS MAYORGA para Alcalde de Sweetwater

Political Advertisement paid for and approved by Douglas Mayorga for Mayor of Sweetwater.

Delivery Failure Report

Your message: FEC 15-201, 15-289 and 15-307
was not delivered to: douglas@mayorgaformayor.com
because: 550 5.1.1 <douglas@mayorgaformayor.com> Recipient not found. <http://x.co/irbounce>

What should you do?

- You can resend the undeliverable document to the recipients listed above by choosing the Resend button or the Resend command on the Actions menu
- Once you have resent the document you may delete this Delivery Failure Report
- If resending the document is not successful you will receive a new failure report
- Unless you receive other Delivery Failure Reports, the document was successfully delivered to all other recipients.

Routing path

TLH01/OAG, TLH03/OAG, TLH03/OAG, TLH01/OAG

To: douglas@mayorgaformayor.com

cc:

Date: 10:51:52 AM Today

Subject: FEC 15-201, 15-289 and 15-307

Dear Mr Mayorga,

We have your initial response for FEC 15-201 on file; however, my subsequent attempts to reach you have been unsuccessful. Now that the investigation is completed I still have a few final questions that are listed below.

Case 15-201 refers to an advertisement that reads, "VOTE Mayorga for Mayor City of Sweetwater." The ad does not contain a disclaimer. You initially stated that the ad provided by Complainant was a draft. Was the ad ever published? Did you add a disclaimer before the ad was published? How did you publish the ad, e.g., flyer, newspaper, etc.? Do you have any other comments you would like to make about this advertisement?

Cases 15-289 and 15-307 refer to a palm card with blue background which was written in Spanish. The palm card reads "This 12 May 2015 Vote for Douglas Mayorga Mayor of Sweetwater." The advertisement does not contain the word "for" between your name and the office that you were running for. Why was the word "for" omitted? Did you publish this ad before or after the advertisement discussed above? Do you have any additional comments regarding the palm cards?

Please to this email by Tuesday, February 2, 2016.

Sincerely,

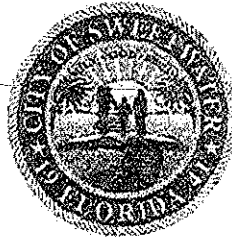
Margie B. Wade

Investigation Specialist II
Florida Elections Commission

EXHIBIT 4 page 1 of 2

107 West Gaines Street, Suite 224
Tallahassee, FL 32399
850-922-4539 (phone)
850-921-0783 (fax)

EXHIBIT 4 page 2 of 3



CITY OF SWEETWATER
GENERAL MUNICIPAL ELECTION

TUESDAY, MAY 12, 2015

CANDIDATE ELECTION CALENDAR

DATE

2015

- 3/6** Last day to submit resignation to run for office if already serving a term as an elected official. Must be submitted to the City Clerk before 4:30 P.M. this date.
- 3/18** First day candidates may file qualifying papers. Fee for Commissioner: \$75 Qualifying Fee + \$376.77 State Assessment. Fee for Mayor: \$250 Qualifying Fee + \$1,184.15 State Assessment. Please bring a separate check from your campaign account for each fee.
- 3/27** Campaign Treasurer's Report G-1 due no later than 4:30 P.M. on this date for the period from March 1, 2015 ending March 20, 2015. Late reports will be assessed a fine pursuant to State Law.
- 3/27** Final day candidates may file qualifying papers (5:00 P.M. deadline)
- 4/10** Campaign Treasurer's Report G-2 due no later than 4:30 P.M. on this date for the period from March 21, 2015 and ending April 3rd, 2015. Late reports will be assessed a fine pursuant to State Law. Unopposed candidates will not be subject to this or the remainder of the reporting periods and will have 90 days from the close of the qualifying period to present their final reports.
-
- 4/13** Voter registration books close - anyone who registers as a new voter after this date will be ineligible to vote in the May 12th election.
- 4/24** Campaign Treasurer's Report G-3 due no later than 4:30 P.M. on this date for the period from April 4, 2015 and ending April 17, 2015. Late reports will be assessed a fine pursuant to State Law.
- 4/28** Last day candidates may designate poll watchers. Candidate's list must be in the office of the City Clerk no later than 12:00 Noon this date.

- 5/7 Campaign contributions can no longer be accepted after midnight this date.
- 5/8 Campaign Treasurer's Report G-4 due no later than 4:30 P.M. on this date for the period from April 18, 2015 and ending midnight May 7, 2015. Late reports will be assessed a fine pursuant to State Law.
- 5/12 ELECTION DAY - Polls open from 7:00 A.M. to 7:00 P.M.
- 5/22 All political signs of candidates must be removed by candidate or sign bond will be forfeited and signs will be removed by City crews. Exception is for candidates in runoff election.
- 5/26 RUNOFF ELECTION DAY if a runoff is required.
- 6/5 Political signs of runoff candidates must be removed by candidate or sign bond will be forfeited and signs will be removed by City crews.
- 8/10 Final Report covering the period from May 8 to the date of terminating campaign account now due. (No later than 90 days after election.)

Candidate Campaign Handbook and State Election Laws can be accessed, downloaded and printed at <http://election.dos.state.fl.us/publications/index.shtml>

Should dates and times in this calendar change, each registered candidate will be notified immediately providing they can be contacted electronically.

Logic and Accuracy testing of the voting equipment is performed by Miami-Dade County Elections. As soon as the dates are available, you will be notified electronically.

Canvassing Board meetings have not been scheduled yet. As soon as the dates are set, you will be notified electronically.



City of Sweetwater

MARCH 16, 2015

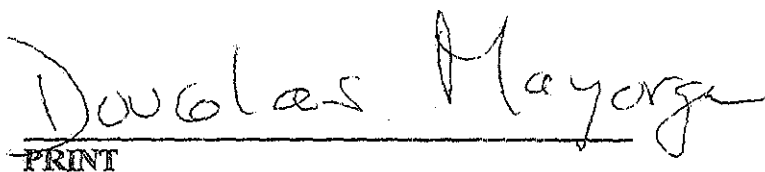
DOCUMENTS RECEIVED BY CANDIDATE:

- 1- CANDIDATES INFORMATION FOR 2015 ELECTION
- 2- CANDIDATE ELECTION CALENDAR
- 3- CANDIDATE OATHS
- 4- AFFIDAVIT OF CANDIDATE
- 5- STATEMENT OF FINANCIAL INTERESTS 2014
- 6- POLL WATCHER DESIGNATION INSTRUCTION AND FORM
- 7- ETHICAL CAMPAIGN PRACTICES ORDINANCE
- 8- SIGNS REGULATION ORDINANCE

RECEIVED BY:



(SIGNATURE)

 3/18/2015

PRINT DATE

EXHIBIT 6

AFFIDAVIT OF FILING OFFICER

1. Please provide certified copies of the listed items from the following candidate's campaign file: Douglas Mayorga.

Check	ITEM
✓	The Statement of Candidate form for 2015.
✓	Appointments of Treasurers and Designation of Campaign Depository form for 2015.
✓	Statements of financial interest (Form 1 and Form 6) for 2015.

2. Please check each item provided to the candidate or his or her staff, and list the date that the item was provided. (If the item is published by the Division of Elections, it is unnecessary to provide a copy of the item. If your office published the item, please send a copy of the item with this affidavit.)

Check	ITEM	DATE
	Chapter 106, Florida Statutes	N/A
	Chapter 104, Florida Statutes	N/A
	Candidate Handbook <u>Please indicate Year</u> _____	N/A
	Political ad and disclaimer supplement	N/A
	Calendar of Election dates	2/6/15
	Any other election related document, Please indicate the title of the related document: <u>AFFIDAVIT OF INDUE BURDEN 3/</u>	

CANDIDATE PETITION (Eng. - Span)

3. Please list all other written materials provided to the candidate or his or her staff, the date of receipt, and a brief description of the written materials. Did you notify the candidate that the campaign handbook was available on the Division of Elections website?

SEE PACKET ATTACHED. Link to website on
second page of Election Calendar

4. Please list all training seminars that were attended by the candidate, along with the date of attendance. If a staff member attended for the candidate, list his name and position. If available, please attach a copy of any attendance sheets from the seminar(s).

NONE

EXHIBIT 7 page 1 of 3

5. Please list the subjects covered during these seminars. If available, please provide a copy of the syllabus and outline for the seminar.

N/A

6. Please list any other contacts with this candidate by you or your staff concerning a provision of Chapter 104, Section 105.071, or Chapter 106, *Florida Statutes*. Indicate whether the contact was in person, in writing, or by telephone and the subject matter of the contact. Also, provide copies of any documentation of the contact. Please provide a separate affidavit from any member of your staff who was in contact with this candidate or his or her staff, detailing the subject matter of the contact.

7. Please list each year the candidate ran for office, the office the candidate ran for, the dates of the elections, and the results of the elections.

3/12/15 RAN FOR MAYOR. LOST.

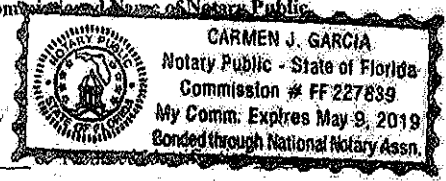
EXHIBIT 7 page 2 of 3

I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS COMPLETE
AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Matteo O. Schmidt
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 11th day of
January, 2016

Carmen J. Garcia
Signature of Notary Public, State of Florida
Print, Type, or Stamp Complete Name of Notary Public



Personally Known ☒
Type of Identification Produced: _____

Case Investigator: MBW

EXHIBIT 7 page 3 of 3

RECEIVED JAN 10 2015
15 JAN 3

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

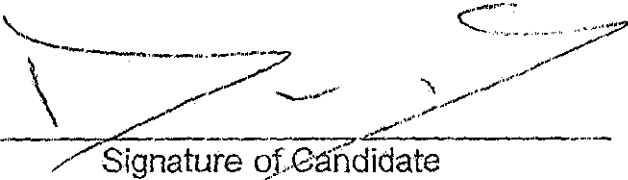
OFFICE USE ONLY

I, DOUGLAS MAYORCA

candidate for the office of MAYOR - SWEETWATER, FL. ;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X


Signature of Candidate

01-15-2015

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)

EXHIBIT 8

CERTIFIED
TRUE COPY



1/18/15



FLORIDA ELECTIONS COMMISSION

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

July 8, 2015

Trelvis D Randolph, Esquire
Cole, Scott & Kissane Bldg ,
9150 S Dadeland Blvd., Suite 1400
Miami, FL 33156

RE: Case No.: FEC 15-307; Respondent: Douglas Mayorga

Dear Mr. Randolph:

On April 3, 2015, the Florida Elections Commission received a complaint alleging that your client 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 106.143(6), Florida Statutes: Douglas Mayorga, a 2015 candidate for Mayor of Sweetwater, paid for and distributed one or more political advertisements in which the word "for" was not included between his name and the office for which he was running, as alleged in the complaint. Respondent was not the incumbent

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 your client has 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 your client has 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.

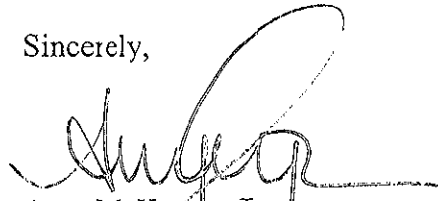
At any time before a probable cause finding, you may notify us in writing that your client wants to enter into negotiations directed towards reaching a settlement via consent agreement.

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 and your client unless your client waives confidentiality in writing.

If you have any questions or need additional information, please contact **Tracie Aulet**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/dam

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050

Telephone Number: (850) 922-4539

www.fec.state.fl.us

RECEIVED

2015 APR -3 A 8:48

CONFIDENTIAL COMPLAINT FORM

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: Orlando Lopez Work Phone: (305) 389-3200
Address: 10355 SW 3 Street Home Phone: ()
City: Sweetwater County: Miami-Dade State: FL Zip Code: 33174

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. (If you intend to name more than one individual or entity, please file multiple complaints.)

Name of individual or entity: Douglas Mayorga
Address: 11567 SW 6 Street Phone: (786) 260-1965
City: Sweetwater County: Miami-Dade State: Florida Zip Code: 33174

If individual is a candidate, list the office or position sought: Mayor

Have you filed this complaint with the State Attorney's Office? (check one) ☐ Yes ☒ No

3. ALLEGED VIOLATION(S):

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate the following provisions: **Chapter 104, Chapter 106, and Section 105.071, Florida Statutes.** Also, please include:

- ✓ The facts and actions that you believe support the violations you allege,
- ✓ The names and telephone numbers of persons you believe may be witnesses to the facts,
- ✓ A copy or picture of the political advertisements you mention in your statement,
- ✓ A copy of the documents you mention in your statement, and
- ✓ Other evidence that supports your allegations.

Douglas Mayorga filed as a candidate for Mayor of the City of Sweetwater on Friday, January 16, 2015.

Count 1 - Mayorga has printed and distributed campaign palm cards without the words "Elect or Vote" before his name.

Count 2 - Mayorga has printed the same palm cards without the word "For" before Mayor insinuating that he is already the Mayor

Count 3 - The paid political tag states " Political advertisement paid for and approved by Douglas Mayorga for Mayor of Sweetwater"

I have attached the copy of his finance report where he reports \$200 in contributions and no expenses thus not paying the cards from his campaign account

Additional materials attached (check one)? ☒ Yes ☐ No

4. OATH

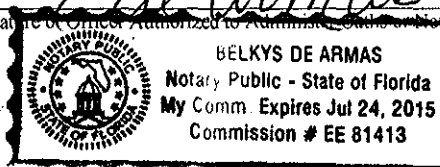
STATE OF FLORIDA
COUNTY OF Miami-Dade

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

[Signature]
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 31 day of
March, 20 15

[Signature]
Signature of Officer Authorized to Administer Oath of Notary Public



(Print Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ Or Produced Identification _____

Type of Identification Produced _____

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775 082 and 775 083, Florida Statutes.

FLORIDA DEPARTMENT OF STATE DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY

RECEIVED MAR 27 2015

(1) DOUGLAS MAYORGA

Name

(2) 11567 SW 6 ST

Address (number and street)

MIAMI, FL 33174

City, State, Zip Code

☐ CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):

☒ Candidate (office sought): MAYOR SWEETWATER

☐ Political Committee

☐ CHECK IF PC HAS DISBANDED

☐ Committee of Continuous Existence

☐ CHECK IF CCE HAS DISBANDED

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF NO OTHER ELECTIONEERING
COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 03 / 01 / 2015 To 03 / 20 / 2015 Report Type G-1 M-03-15

☒ Original ☐ Amendment ☐ Special Election Report ☐ Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 200.00

Loans \$ 0

Total Monetary \$ 0

In-Kind \$ 0

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 0

Transfers to Office Account \$ 0

Total Monetary \$ 0

(8) Other Distributions

\$ 0

(9) TOTAL Monetary Contributions To Date

\$ 200.00

(10) TOTAL Monetary Expenditures To Date

\$ 0

(11) CERTIFICATION

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete.

(Type name) MARIA LOUISA

☐ Individual (only for electioneering commun.) ☒ Treasurer ☐ Deputy Treasurer

X Maria Loaisiga

Signature

I certify that I have examined this report and it is true, correct, and complete.

(Type name) Douglas Mayorga

☒ Candidate ☐ Chairperson (only for PC, PTY & electioneering commun. organization)

X

Signature

RECEIVED MAR 27 2011

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

RECEIVED MAR 27 2011

(1) Name DOUGLAS MAYORGA

(2) I.D. Number _____

(3) Cover Period 03/01/2015 through 03/20/2015 (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle)	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number	Street Address & City, State, Zip Code	Type	Occupation	Type	Description		
03/18/2015	28-21 HOLDINGS LLC 28-19 33ST ASTORIA, NY 11102	B	PROPERTY	CHECK	Ø		\$200.00
1/1							
1/1							
1/1							
1/1							
1/1							
1/1							
1/1							
1/1							
1/1							

RECEIVED MAR 27 2015

27 MAR 2015

duj

CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS

(1) Name DOUGLAS MAYORCA (2) I.D. Number _____

(3) Cover Period 03/01/2015 through 03/20/2015 (4) Page _____ of _____

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Related Expenditures	(10) Amendment	(11) Amount	(12) Distribution Type
(6) Sequence Number						
/ /						
/ /						
/ /						
/ /						
/ /						
/ /						

ESTE 12 DE MAYO 2015

Vote por

DOUGLAS ★★★★★★
MAYORGA

EMPLEOS - CA

JUSTICIA - ORDEN Y DESARROLLO ECONOMICO

CANDI

N GRAN CORAZON!!

formación:

60.1965

douglas@mayorgaformayor.com

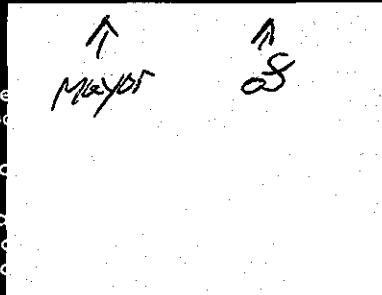
www.mayorgaformayor.com

Political advertisement paid for and approved by Douglas Mayorga for Mayor of San Francisco

DOUGLAS ★★★★★★ MAYORGA

ALCALDE DE SWEETWATER

1. Eliminación de gastos hasta
2. Eliminación de las Cámaras
3. Privatizar activos sin uso de
4. Crear un Banco Municipal po
5. No salarios sobre \$80,000
6. Eliminación de cargos por lic
7. Incentivos tributarios para lo
8. Crear un parque tecnológico liviana.
9. Atraer empresas e industrias de alta capacidad tecnológica y dar empleo a nuestros jóvenes de Sweetwater como prioridad
10. Promover y crear una bolsa de empleos para las personas mayores activamente productivas
11. Fomento a la lectura y al desarrollo científico de la juventud y la niñez con actividades de concurso con premio y becas.
12. Recreación y Deporte con academias y competencias regionales en Baseball, Soccer, Basquetbol, Tenis, Raquet ball, Boxeo y otras oportunidades deportivas
13. Construcción de una Escuela Secundaria publica para Sweetwater y un centro vocacional
14. Seremos la administración de la Oración, Oraremos todas las mañanas por nuestros ciudadanos para que reine la Paz en los Hogares y existan consejeros familiares para nuestros jóvenes
15. Crearemos un programa de Becas para que nuestros jóvenes estudien y se forjen cuando finalicen su escuela secundaria



Political advertisement paid for and approved by Douglas Mayorga for Mayor of Sweetwater