

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Raymond Clayton Guillory

Case No.: FEC 18-475

TO: Raymond Clayton Guillory
129 Park Drive
Pensacola, FL 32507-2507

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF VIRTUAL HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **May 25, 2021, at 8:30 am EST**, or as soon thereafter as the parties can be heard.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video or teleconference. Enclosed you will find additional details on joining the video conference via GoToWebinar, **9-Digit Webinar ID 640938187** or via **teleconference by dialing (866) 901-6455** and entering the **meeting access code 278040912**, when prompted. **If you wish to speak before the Commission, you will need to appear by webcam and will be sworn in remotely.** Please be advised that the Commission will consider multiple cases, so you will need to wait until your case is considered. If you have any questions, please contact Commission staff at (850) 922-4539.

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.

Tim Vaccaro
Executive Director
Florida Elections Commission
May 10, 2021

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.



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



Commission Meeting May 25, 2021 at 8:30AM via GoToWebinar and OpenVoice

In order to participate in the public portion of the May 25, 2021, Florida Elections Commission meeting, please follow the instructions below:

- A. GoToWebinar – Remote Video Conferencing
 1. Open your web browser and search GoToWebinar or enter www.gotowebinar.com.
 2. Select "Join" in the upper right corner of the website.
 3. Enter the 9-digit Webinar ID: 640938187 and your email address.
 4. Register your name and email address.
 5. You will automatically join the meeting as an attendee. Attendees are muted and can choose to utilize their webcam.

- B. OpenVoice - Teleconference
 1. Call 1-866-901-6455
 2. Enter Access Code 278-040-912
 3. You will automatically join the meeting as an **Attendee**. Attendees are muted.

While this is a public meeting and advanced registration is not mandatory, we ask that if you plan to attend via Video Conference or Teleconference, that you notify our office in advance. This will give the Commission the opportunity to organize the agenda as efficiently as possible. It will be the goal of the Commission to hear cases in which parties are present, first, in order to reduce the standby time of the parties in attendance.

You can call or email our office of your intent to participate or of any questions you may have regarding this meeting. Please provide the case number(s) of interest, when contacting our office.

Thank you,

Commission Staff

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**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 18-475

v.

**Raymond Clayton Guillory,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 23, 2021, in Tallahassee, Florida.

On November 3, 2020, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. 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):

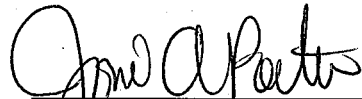
Count 1:

On or about June 27, 2018, Raymond Clayton Guillory 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 2018 Termination Report.

THIS SPACE INTENTIONALLY LEFT BLANK

The Commission finds that there is **no probable cause** to charge Respondent with violating Sections 106.141(1), and 106.19(1)(c), Florida Statutes.

DONE AND ORDERED by the Florida Elections Commission on February 23, 2021.



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Raymond Clayton Guillory, Respondent
Division of Elections, 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: Raymond Clayton Guillory

Case No.: FEC 18-475

TO: Raymond Clayton Guillory
129 Park Drive
Pensacola, FL 32507-2507

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF VIRTUAL HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on **February 23, 2021**. The Commission's Confidential Session will begin at **1:00 p.m., EST**, and will consider multiple cases that day.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video or teleconference. Enclosed you will find additional details on joining the video conference via ZOOM, Meeting ID 987 1847 0760, or via teleconference by dialing (929) 205-6099 and entering the meeting access code 370906, when prompted. If you wish to speak before the Commission, you will need to appear by webcam and will be sworn in remotely. Please be advised that the Commission will consider multiple cases, so you will need to wait until your case is considered. If you have any questions, please contact Commission staff at (850) 922-4539.

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 motions to dismiss 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 motions to dismiss 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. 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.

Tim Vaccaro
Executive Director
Florida Elections Commission
February 2, 2021

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 **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.



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



Confidential Commission Meeting February 23, 2021 at 1:00 PM via Zoom

In order to participate in the confidential portion of the February 23, 2021, Florida Elections Commission meeting, please follow the instructions below:

Join Zoom Meeting

Click on the meeting link sent to your attention via email:

<https://zoom.us/j/98718470706?pwd=TXdsdGwrZVVScjNmVGFDbXRRdzlJZz09>

If you have difficulty launching the hyperlink, follow these steps.

1. Open your web browser and search ZOOM or enter www.zoom.us
2. Select "Join A Meeting" in the upper right corner of the website.
3. Enter the Meeting ID: 987 1847 0760 and click "Join".
4. Enter the Meeting Passcode: 370906 and click "Join".

For alternative audio participation:

1. Dial: 1 (929) 205-6099
2. Meeting ID: 987 1847 0760
3. Passcode: 370906

While this is a confidential meeting and advanced registration is not mandatory, we ask that if you plan to attend via Video Conference or Teleconference, that you notify our office in advance. This will give the Commission the opportunity to organize the agenda as efficiently as possible. It will be the goal of the Commission to hear cases in which parties are present, first, in order to reduce the standby time of the parties in attendance.

Please test your audio; microphone, speakers and webcam, in advance.

Those attendees who wish to speak before the Commission will need to appear by webcam and will be sworn in remotely.

Please be advised that the Commission will consider multiple cases, so you will be placed in a ZOOM Breakout Room until your case is considered.

If you have any questions, contact Commission staff at (850) 922-4539. Please provide the case number(s) of interest, when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Raymond Clayton Guillory

Case No.: FEC 18-475

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**, and **no probable cause** to charge Respondent with violating **Sections 106.141(1), and 106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on September 23, 2020, the following facts and law support this staff recommendation:

1. On December 14, 2018, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division” or “Complainant”), alleging that Raymond Clayton Guillory (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a 2018 candidate for State Representative, District 2. Respondent’s Statement of Candidate form (“DS-DE 84”) was filed on March 20, 2017. (ROI Exhibit 3)¹ Respondent withdrew his candidacy on March 29, 2018. (ROI Exhibit 1, page 1)

3. By letter dated May 17, 2019, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for the office of State Representative, District 2, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2018 TR reporting period.

Section 106.141(1), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for the office of State Representative, District 2, failed to timely file his 2018 Termination Report reflecting the disposition of all remaining campaign funds.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for the office of State Representative, District 2, may have falsely reported or deliberately

¹ The Report of Investigation is referred to herein as “ROI.”

failed to include information required by Chapter 106, Florida Statutes, during the 2018 TR reporting period.

4. On March 20, 2017, Respondent filed his Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) appointing himself as treasurer for his campaign. (ROI Exhibit 2)

5. By letter dated March 20, 2017, Kristi Reid Bronson, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received his DS-DE 9 and that his name was placed on the 2018 active candidate list. (ROI Exhibit 4, page 1)

6. The acknowledgment letter advised Respondent that all candidates filing reports with the Division are required to use the electronic filing system (“EFS”), and provided Respondent with a user identification number and initial password to grant access to the EFS. (ROI Exhibit 4, page 1) The letter further advised Respondent that all of the Division’s publications and reporting forms were available on its website and directed Respondent to print out Chapter 106, Florida Statutes, and the *Calendar of Reporting Dates*, as well as other relevant documents. (ROI Exhibit 4, page 3)

Alleged Violation: Section 106.07(7), Florida Statutes

7. Complainant alleged that Respondent violated Florida’s election laws by failing to notify the filing officer on the prescribed reporting date that no report would be filed for the 2018 termination reporting period.

8. Respondent’s 2018 Termination Report was due to be filed by June 27, 2018; however, Respondent failed to timely file the report or notify the filing officer that no report would be filed. By letter dated March 30, 2018, the Division notified Respondent that his 2018 Termination Report was due on June 27, 2018. (ROI Exhibit 1, page 2) On August 1, 2018, November 7, 2018, and November 20, 2018, the Division sent letters notifying Respondent that his report or notice of no activity had not been received. (ROI Exhibits 5 & 6) The final notification was confirmed delivered. (ROI Exhibit 6, page 2)

9. A subpoena was issued to Respondent’s designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting period, i.e., March 29, 2018 – June 27, 2018. The financial institution was unable to locate a campaign account in Respondent’s name. (ROI Exhibit 8, page 1)

10. Respondent stated that he vaguely recalled being advised to read Chapter 106, Florida Statutes, and the *Candidate and Campaign Treasurer Handbook*, but could not recall if he had ever read any of the materials. (ROI Exhibit 9, page 1) Respondent was not a first-time candidate. (ROI, p.1, ¶1) As of September 22, 2020, Respondent had not filed a report or notice of no activity with regard to the 2018 Termination reporting period. (ROI Exhibit 7, page 2)

11. As it appears that Respondent had no financial activity, Respondent was required to notify the filing officer in writing that he would not be filing his 2018 Termination Report on the prescribed reporting date, but failed to do so.

Alleged Violation: Section 106.141(1), Florida Statutes

12. Complainant alleged that Respondent violated Florida's election laws by failing to file the campaign's 2018 Termination Report.

13. Based on the above analysis, it appears that Respondent had no financial activity for the relevant reporting period. Therefore, it does not appear that Respondent was required to file the campaign's 2018 Termination Report as the report was waived due to a lack of reportable financial activity.

Alleged Violation: Section 106.19(1)(c), Florida Statutes

14. Complainant alleged that Respondent violated Florida's election laws by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, on the campaign's 2018 Termination Report.

15. Based on the above analysis, it appears that Respondent had no financial activity for the relevant reporting period. Therefore, it does not appear that Respondent falsely reported or deliberately failed to include information in his 2018 Termination Report as the report was waived due to a lack of reportable financial activity.

16. "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).

17. The facts set forth above show that Respondent was a 2018 candidate for State Representative, District 2. It appears that Respondent had no financial activity during the relevant reporting period, and therefore was required to notify the filing officer in writing that he would not be filing his 2018 Termination Report on the prescribed reporting date, but failed to do so. Thus, it does not appear that Respondent was required to file the campaign's 2018 Termination Report nor does it appear that Respondent falsely reported or deliberately failed to include information in his 2018 Termination Report as the report was waived due to a lack of reportable financial activity.

Based upon these facts and circumstances, I recommend that the Commission find **no probable cause** to charge Respondent with violating **Sections 106.141(1), and 106.19(1)(c), Florida Statutes**, and find **probable cause** to charge Respondent with violating the following:

Count 1:

On or about June 27, 2018, Raymond Clayton Guillory 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 2018 Termination Report.

Respectfully submitted on November 3, 2020.



Stephanie J. Cunningham
Assistant General Counsel

I reviewed this Staff Recommendation this 4th day of November 2020.



Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION

Report of Investigation Sections 106.07(7), 106.141(1), and 106.19(1)(c), F.S.

Case Number: FEC 18-475

Respondent: Raymond Clayton Guillory
Respondent's Atty: <N/A>

Sections 106.141(1), Florida Statutes, failure of a candidate to dispose of funds remaining in his campaign account within 90 days after he withdrew, became unopposed, was eliminated, or elected and to file a termination report (TR) reflecting the disposition of all remaining funds.

Division of Elections (Division)
Referral Filed: December 14, 2018

Sections 106.07(7) and 106.19(1)(c), Florida Statutes, failure of a candidate who did not receive any contributions or make any expenditures during the TR reporting period to notify timely the filing officer, in writing, that no TR is being filed or failure to file a TR to reflect financial activity.

I. Preliminary Information:

1. Respondent was a 2018 candidate for State Representative, District 2; he withdrew his candidacy on March 29, 2018. Respondent was not a first-time candidate. To review a copy of Respondent's withdrawal letter with Division response, refer to Exhibit 1.¹

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on March 20, 2017. Respondent appointed himself as campaign treasurer. To review the DS-DE 9, refer to Exhibit 2.

3. Respondent filed a Statement of Candidate with the Division on March 20, 2017 in which he certified he had been provided access to read and understand Chapter 106, F.S. To review a copy of the Statement of Candidate, refer to Exhibit 3.

4. An acknowledgement letter was mailed to the address provided on the DS-DE 9 on March 20, 2017. The letter advised Respondent that all candidates filing reports with the Division are required to file by means of the Division's electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing him access to the EFS.

5. The acknowledgement letter also advised 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*. The letter further advised Respondent that it was his responsibility to read, understand, and follow the requirements of Florida's election laws. To review the acknowledgement letter, refer to Exhibit 4.

¹ In the Division's response to his withdrawal, Respondent was reminded to file a TR by June 27, 2018.

6. The Division sent correspondence to Respondent notifying him that he had not filed either a termination report or notification that no reportable activity occurred and reminded him that the filing date was June 27, 2018. The correspondence was mailed to Respondent at the address provided on the DS-DE 9. To review the failure to file correspondence, refer to Exhibit 5.

7. On November 20, 2018, the Division sent Respondent a letter marked “Final Notice” with delivery confirmation stating that his 2018 Termination Report, or the required notification that no reportable activity occurred, had not been filed. The letter was mailed to Respondent at the address provided on the DS-DE 9, and it was confirmed delivered on November 23, 2018. To review the letter marked “Final Notice” and delivery confirmation, refer to Exhibit 6.

II. Alleged Violation of Sections 106.07(7), 106.141, and 106.19(1)(c), Florida Statutes:

8. I investigated whether Respondent violated these sections of the election laws by not notifying the filing officer, in writing, that no TR would be filed due to not receiving any contributions or making expenditures during the TR reporting period or by not filing a TR to reflect financial activity during the TR reporting period. I also investigated whether Respondent violated Section 106.141(1), Florida Statutes, by not disposing of all remaining campaign funds within 90 days of withdrawing. As of the date of this report, Respondent has not filed a 2018 TR or waiver of the TR. To review a copy of Respondent’s filing history, refer to Exhibit 7.

Report	Report Cover Period	Due Date	Report or Waiver Required	² Exhibit #
2018 TR	3/29/18– 6/27/18	6/27/18	Waiver	8

9. Respondent did not respond to the referral.

10. Respondent did not respond to a questionnaire-affidavit. Because the affidavit has not been returned, I am unable to ascertain whether he has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*.

11. On May 29, 2019, I called Respondent for the purpose of reviewing the referral with him. Respondent verified that our office has his correct contact information but denied receiving any correspondence regarding this matter. I explained that we had not received any returned mail as undeliverable or unable to forward. He stated that he would check with other household members to see what happened to his mail. He acknowledged that the 2018 TR had not been filed. I inquired if he had received a copy of Chapter 106, Florida Statutes, the *Calendar of Reporting Dates*, and the *Candidate and Campaign Treasurer Handbook*, Respondent stated that he vaguely recalled being advised of this information but could not recall if he had ever read any of them. To review a copy of the phone log, refer to Exhibit 9.

SIGNATURE OF INVESTIGATOR:  **Date:** September 23, 2020

² I subpoenaed Respondent’s campaign account records from the designated campaign depository. The campaign depository provided notification declaring that it had no record of a campaign account found in Respondent’s name related to his 2018 campaign for State Representative, District 2. To review the bank’s declaration, refer to Exhibit 8.

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Raymond Guillory -- FEC 18-475

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Campaign withdrawal letter with DOE response
Exhibit 2	DS-DE 9 form
Exhibit 3	Statement of Candidate
Exhibit 4	Acknowledgement Letter
Exhibit 5	1 st and 2 nd Failure-to-file letters
Exhibit 6	Final Notice with delivery confirmation receipt
Exhibit 7	Filing History
Exhibit 8	Declaration Letter from Warrington Bank
Exhibit 9	Phone Log

3/39/2018

To the Florida Division of Elections,

I Raymond Clayton Guillory, a Democratic candidate for the Florida House of Representatives in District 2, formally request to withdraw my candidacy effective 3/29/18.



Raymond Clayton Guillory

RECEIVED

18 MAR 29 PM 11:01

DIVISION OF ELECTIONS
SECRETARY OF STATE



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 30, 2018

Raymond Clayton Guillory (69719)
129 Park Drive
Pensacola, Florida 32507

Dear Mr. Guillory:

This will acknowledge receipt of the letter informing us of your withdrawal as a 2018 candidate for the office of State Representative. This information was placed on file in our office on March 29, 2018.

Pursuant to Section 106.141, Florida Statutes, all candidates must, within 90 days of withdrawing their candidacy, dispose of all funds on deposit in the campaign account. You are required to file a 90-day termination report no later than **June 27, 2018**. You are not required to close the campaign prior to the due date; however, you must have written checks disposing of all surplus funds by this date.

You may file your report in the Electronic Filing System (EFS) at any time prior to the deadline once you have disposed of all funds. In order to file your termination report prior to the due date, you will need to change the cover period, which has been defaulted to an ending period of June 27, 2018, in the EFS (see attached example).

If you have any questions, please contact this office at (850) 245-6280.

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief
Bureau of Election Records

KRW/mcc

Attachment

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/



If you file your Termination Report PRIOR to June 27, 2018, change the cover period end date in the EFS system to the date you are filing your report.

Use this form to submit an original report. To submit an amendment to a previously filed report, first select the report from the 'Filed Reports' listing and then choose the 'Amend Report' option from the 'Filings' menu item.

Coverage Periods

Campaign finance reports itemize financial activity occurring during a specific reporting period. The reporting period is declared by first selecting the election cycle then the report type & year. The filing due date of the report are automatically associated with the selected

**CHANGE THE END
DATE HERE TO THE
DATE YOU ARE FILING
YOUR TR REPORT**

Election Cycle: 2012 General Election

Report Type & Year: TR 2012

Coverage Period: 11/2/2012 2/4/2013 Due Date: 02/04/2013

Waiver

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**
(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED
DEPARTMENT OF STATE
2017 MAR 20 AM 9:29
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

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)

Raymond Clayton Guillory

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

129 Park Dr. Pensacola, Fl. 32507

4. Telephone

(850) 4503748

5. E-mail address

rayguillory@rayguillory.com

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

Florida House District 2

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 Democratic Party candidate.

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Raymond Guillory

11. Mailing Address

129 Park Dr.

12. Telephone

()

13. City

Pensacola

14. County

Escambia

15. State

Fl

16. Zip Code

32507

17. E-mail address

rayguillory@rayguillory.com

18. I have designated the following bank as my Primary Depository Secondary Depository

19. Name of Bank

Warrington Bank

20. Address

129 Park Dr.

21. City

Pensacola

22. County

Escambia

23. State

Fl

24. Zip Code

32507

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

03-15-17

26. Signature of Candidate



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

I,  Raymond Guillory, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

03-17-17

Date



Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

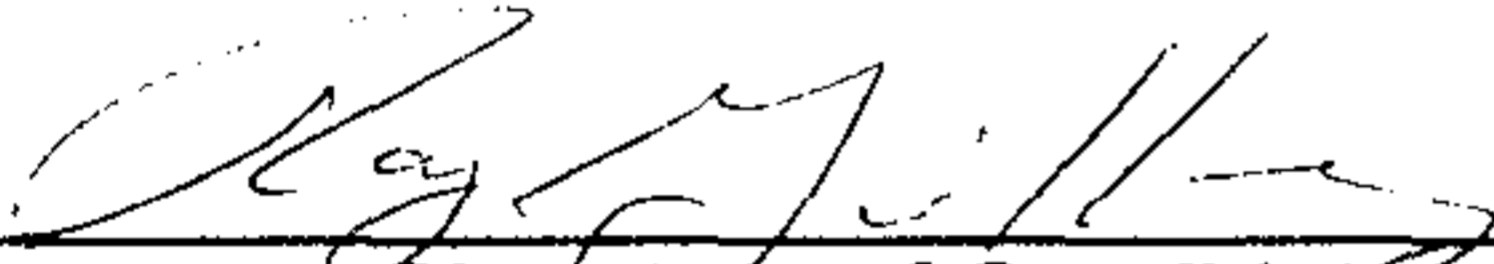
OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE
2017 MAR 20 AM 9:29
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

I, Raymond Guillory,

candidate for the office of Florida House District 2;

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

X


Signature of Candidate

03-15-17

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).



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 20, 2017

Raymond Clayton Guillory
129 Park Drive
Pensacola, Florida 32507

Dear Mr. Guillory:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, along with your Candidate Oath, which were placed on file in our office on March 20, 2017. Your name has been placed on the 2018 active candidate list. **However, a new Candidate Oath must be filed during the qualifying period along with the other qualifying documents.**

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **April 10, 2017**. The report will cover the period of March 1-31, 2017 (M3). 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 this password 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: 69719

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/



Raymond Guillory
March 20, 2017
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 a confidential pin number for you.

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event this 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.

Raymond Guillory
March 20, 2017
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 <http://dos.myflorida.com/elections/>. 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,



KRB Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/zjs

Enclosures



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 1, 2018

Raymond Clayton Guillory
Candidate for State Representative, District 2
129 Park Drive
Pensacola, FL 32507-2507

CAN 69719

Dear Mr. Guillory:

Our records indicate that you have not filed either your termination report or notification that no reportable activity occurred, whichever is applicable. The filing date was June 27, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as \$50 per day until you file your report. The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.
- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

November 7, 2018

Raymond Clayton Guillory
Candidate for State Representative, District 2
129 Park Drive
Pensacola, FL 32507-2507

CAN 69719

Dear Mr. Guillory:

Our records indicate that you have not filed either your termination report or notification that no reportable activity occurred, whichever is applicable. The filing date was June 27, 2018.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on August 1, 2018.

The first notice which we provided to you specifically explained the automatic fine provisions in the law (s. 106.07(8)(b), Fla. Stat.) for failure to file a required report. Such fines are continuing to accrue for a late-filed report. Also, that notice explained that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred. Our initial notice further indicated that, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE
Ken Detzner
Secretary of State
DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # **9114 9014 9645 1750 4307 28**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811

November 20, 2018

Raymond Clayton Guillory
Candidate for State Representative, District 2
129 Park Drive
Pensacola, FL 32507-2507

CAN 69719

Dear Mr. Guillory:

A recent review of the Division's records show that the Division has not yet received your termination report or the required notification that no reportable activity occurred, whichever is applicable.

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report or notification is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis
Kristi Reid Willis, Chief
Bureau of Election Records

USPS Tracking®

[FAQs > \(https://www.usps.com/faqs/uspstracking-faqs.htm\)](https://www.usps.com/faqs/uspstracking-faqs.htm)

Track Another Package +

Tracking Number: 9114901496451750430728

Remove X

Expected Delivery on

FRIDAY

23 NOVEMBER
2018 ⓘ

by
8:00pm ⓘ

 **Delivered**

November 23, 2018 at 11:45 am
Delivered, In/At Mailbox
PENSACOLA, FL 32507

Get Updates ▾

See More ▾

Feedback

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

*Candidate
Tracking
System*

2018 General Election

State Representative
District 2

Raymond Clayton Guillory
Democrat

Address	Campaign
129 Park	Treasurer
Drive	Raymond Guillory
Pensacola,	
FL 32507	

Phone: (850)
450-3748

Status: Withdrew

Date Filed: 03/20/2017

Date

Qualified:

Method:

Campaign Finance Activity

Campaign Documents



[search](#) | [directory](#) | [contact us](#) | [411](#) | [subscribe](#) | [tour](#) | [help](#)

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Raymond Clayton Guillory

Name:

Account: [69719](#)

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
6/27/2018	TR		FEC	0	\$0.00		\$0.00	\$0.00
3/12/2018	M2	3/22/2018	FEC	10	\$0.00		\$0.00	\$0.00
2/12/2018	M1	2/15/2018	FEC	3	\$0.00		\$0.00	\$0.00
1/10/2018	M12	1/5/2018						
12/11/2017	M11	12/18/2017	FEC	7	\$0.00		\$0.00	\$0.00
11/13/2017	M10	11/27/2017	FEC	14	\$0.00		\$0.00	\$0.00
10/10/2017	M9	10/16/2017	FEC	6	\$0.00		\$0.00	\$0.00
9/22/2017	M8	9/13/2017						
8/10/2017	M7	8/9/2017						
7/10/2017	M6	7/13/2017	CLO	3	\$0.00		\$0.00	\$0.00
6/12/2017	M5	6/12/2017						
5/10/2017	M4	5/10/2017						
4/10/2017	M3	4/10/2017						



**Florida Department of State
Division of Elections**

**2018 General Election
Raymond Clayton Guillory (DEM)
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.](#)

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<input type="radio"/>	03/20/2017 - 03/31/2017	20.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	04/01/2017 - 04/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	05/01/2017 - 05/31/2017	150.00	0.00	0.00	138.99	0.00	0.00
<input checked="" type="radio"/>	06/01/2017 - 06/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	07/01/2017 - 07/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	08/01/2017 - 08/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	09/01/2017 - 09/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	10/01/2017 - 10/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	11/01/2017 - 11/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	12/01/2017 - 12/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	01/01/2018 - 01/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	02/01/2018 - 02/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	170.00	0.00	0.00	138.99	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

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)



THE
Warrington
BANK

REC'D: FL ELECTIONS COM
18 SEP '20 AM 10:56

9-11-2020

Dear Mr. Oliver,

This letter is in response to the subpoena received regarding providing records for Raymond Guillory's campaign account which should have been opened in March of 2017. Upon searching our records, I was unable to find any account for Mr. Guillory opened in 2017. We have no records on file for him opening a campaign account pertaining to the 2018 race for State Representative of District Two.

Sincerely,

Paula Kirkpatrick

Paula Kirkpatrick

Warrington Bank Bookkeeping Dept.



THE
Warrington
BANK

P.O. Box 4877
Pensacola, FL 32507-0877

PENSACOLA
FL 325
11 SEP 20
PM 1 L



U.S. POSTAGE >> PITNEY BOWES

ZIP 32507 \$ 000.50⁰
02 4W
0000370723 SEP. 11 2020

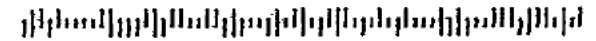
RECEIVED

2020 SEP 16 A 10:55

STATE OF FLORIDA
OFFICE OF PROFESSIONAL REGULATION

Cedric Oliver Investigation Specialist
107 W Gaines St
Collins Building Suite 224
Tallahassee FL 32399-1050

32399-654999



**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 18-475**

Respondent: Raymond Guillory

Complainant: Division of Elections

1. **Date and time:** May 29, 2019 @ 4:20 pm
Name: Respondent
Phone #: (850) 450-3748
Summary: I had telephone contact to make initial contact. I introduced myself and went over the complaint and investigative process. Respondent verified that we have his correct contact information, but he denied receiving any correspondence regarding this matter. I explained that we hadn't received any returned mail as undeliverable or unable to forward. He stated that he would check with other household members to see what happened to his mail. I explained the options that he could take regarding this matter and he informed me that he would think about his options tonight and get back with me tomorrow with his decision. I explained that the TR Report would be required to be filed prior to settlement negotiations could begin. He stated that he understood. I inquired if he had received a copy of Chapter 106, Florida Statutes, the Calendar of Reporting Dates, and the Candidate and Campaign Treasurer Handbook, Respondent stated that he vaguely recalled being advised of this information but couldn't recall if he had ever read any of them.
Memo to File? No
Entered by: CKO
2. **Date and time:** May 30, 2019 @ 3:20 pm
Name: Respondent
Phone #: (850) 450-3748
Summary: I attempted telephone contact to inquire about the option that he decided to take. I left a message to return my call.
Memo to File? No
Entered by: CKO
3. **Date and time:** May 31, 2019 @ 9:05 am
Name: Respondent
Phone #: (850) 450-3748
Summary: I had telephone contact to determine if Respondent had decided to accept MVCO or commence investigation. Respondent stated that he hadn't spoken with a lawyer yet to determine the best method to take. I told him that was okay and that I would be commencing the investigation.
Memo to File? No
Entered by: CKO
4. **Date and time:** May 31, 2019 @ 9:27 am
Name: Gail Russo—Bank Representative
Phone #: (850) 455-7351

Summary: I made telephone contact to determine the best method to send them the subpoena. I was instructed to mail the subpoena to: P.O. Box 4877, Pensacola, FL 32507/Attn: Gail Russo.

Memo to File? No

Entered by: CKO

5. **Date and time:** June 3, 2019 @ 3:45 pm
Name: Paula Kirkpatrick—Bank Depository rep
Phone #: (850) 455-5421
Summary: I had telephone contact advising me that the depository was unable to locate any information on Respondent. I ensure that they had his DOB and last 4 of his social security number. She was still unable to locate any information on Respondent. She stated that she would fax and put a hard copy in the mail the declaration letter explaining no information found. I thanked her for her assistance with this matter.
Memo to File? No
Entered by: CKO
6. **Date and time:** June 3, 2019 @ 4:10 pm
Name: Respondent
Phone #: (850) 450-3748
Summary: I had telephone contact to inquire if depository was ever open at Warrington Bank Respondent stated that he did open a campaign depository at the bank, and he explained that he had opened a total of three of them over the years for each of his campaigns. He didn't have anything with the account number on it at the time.
Memo to File? No
Entered by: CKO
7. **Date and time:** June 3, 2019 @ 4:18 pm
Name: Paula Kirkpatrick—Bank Depository rep
Phone #: (850) 455-5421
Summary: I attempted telephone contact to verify that no account information could be found on Respondent. I left a message to return my call.
Memo to File? No
Entered by: CKO
8. **Date and time:** June 10, 2019 @ 3:20 pm
Name: Paula Kirkpatrick—Bank Depository rep
Phone #: (850) 455-5421
Summary: I had telephone contact to inquire about the information produced by the subpoena. I explained that the information that they produced was for the incorrect year and didn't comply with the subpoena. She explained that her and her boss were only able to locate the information provided when researching. She told me that there were no other campaign accounts under his name. I explained that I would contact Respondent and get back with her with more information.
Memo to File? No
Entered by: CKO
9. **Date and time:** June 10, 2019 @ 3:30 pm

Name: Respondent

Phone #: (850) 450-3748

Summary: I had telephone contact to inquire about his campaign depository information. I left a message to return my call.

Memo to File? No

Entered by: CKO

10. **Date and time:** September 4, 2020 @ 3:20 pm

Name: Paula Kirkpatrick—Bank rep

Phone #: (850) 455-5421

Summary: I attempted telephone contact to inquire about the declaration letter not being sent regarding Respondent's correct campaign. I left a message to return my call.

Memo to File? No

Entered by: CKO

11. **Date and time:** September 9, 2020 @ 12:30 pm

Name: Janeese—Bank rep

Phone #: (850) 455-5421

Summary: I attempted telephone contact to speak with Ms. Kirkpatrick but was advised that she was still out of the office. I spoke with Janeese who advised me that I would need to speak with Ms. Kirkpatrick since she was already familiar with the situation. She advised me that Ms. Kirkpatrick should be back in the office within the next 30 minutes.

Memo to File? No

Entered by: CKO

12. **Date and time:** September 9, 2020 @ 2:20 pm

Name: Paula Kirkpatrick—Bank rep

Phone #: (850) 455-7351

Summary: I had telephone contact from Ms. Kirkpatrick returning my call. She instructed me to fax her a copy of the subpoena before she can send me a declaration letter after reviewing the information again. Fax # (850) 456-9959/Attn: Paula

Memo to File? No

Entered by: CKO

13. **Date and time:** September 21, 2020 @ 3:00 pm

Name: Respondent

Phone #: (850) 450-3748

Summary: I attempted telephone contact to complete final interview. I left a message to return my call.

Memo to File? No

Entered by: CKO

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 18-475**

Respondent: Raymond Guillory

Complainant: Division of Elections

1. **Date and time:** May 29, 2019 @ 4:20 pm
Name: Respondent
Phone #: (850) 450-3748
Summary: I had telephone contact to make initial contact. I introduced myself and went over the complaint and investigative process. Respondent verified that we have his correct contact information, but he denied receiving any correspondence regarding this matter. I explained that we hadn't received any returned mail as undeliverable or unable to forward. He stated that he would check with other household members to see what happened to his mail. I explained the options that he could take regarding this matter and he informed me that he would think about his options tonight and get back with me tomorrow with his decision. I explained that the TR Report would be required to be filed prior to settlement negotiations could begin. He stated that he understood. I inquired if he had received a copy of Chapter 106, Florida Statutes, the Calendar of Reporting Dates, and the Candidate and Campaign Treasurer Handbook, Respondent stated that he vaguely recalled being advised of this information but couldn't recall if he had ever read any of them.
Memo to File? No
Entered by: CKO
2. **Date and time:** May 30, 2019 @ 3:20 pm
Name: Respondent
Phone #: (850) 450-3748
Summary: I attempted telephone contact to inquire about the option that he decided to take. I left a message to return my call.
Memo to File? No
Entered by: CKO
3. **Date and time:** May 31, 2019 @ 9:05 am
Name: Respondent
Phone #: (850) 450-3748
Summary: I had telephone contact to determine if Respondent had decided to accept MVCO or commence investigation. Respondent stated that he hadn't spoken with a lawyer yet to determine the best method to take. I told him that was okay and that I would be commencing the investigation.
Memo to File? No
Entered by: CKO
4. **Date and time:** May 31, 2019 @ 9:27 am
Name: Gail Russo—Bank Representative
Phone #: (850) 455-7351

Summary: I made telephone contact to determine the best method to send them the subpoena. I was instructed to mail the subpoena to: P.O. Box 4877, Pensacola, FL 32507/Attn: Gail Russo.

Memo to File? No

Entered by: CKO

5. **Date and time:** June 3, 2019 @ 3:45 pm
Name: Paula Kirkpatrick—Bank Depository rep
Phone #: (850) 455-5421
Summary: I had telephone contact advising me that the depository was unable to locate any information on Respondent. I ensure that they had his DOB and last 4 of his social security number. She was still unable to locate any information on Respondent. She stated that she would fax and put a hard copy in the mail the declaration letter explaining no information found. I thanked her for her assistance with this matter.
Memo to File? No
Entered by: CKO
6. **Date and time:** June 3, 2019 @ 4:10 pm
Name: Respondent
Phone #: (850) 450-3748
Summary: I had telephone contact to inquire if depository was ever open at Warrington Bank Respondent stated that he did open a campaign depository at the bank, and he explained that he had opened a total of three of them over the years for each of his campaigns. He didn't have anything with the account number on it at the time.
Memo to File? No
Entered by: CKO
7. **Date and time:** June 3, 2019 @ 4:18 pm
Name: Paula Kirkpatrick—Bank Depository rep
Phone #: (850) 455-5421
Summary: I attempted telephone contact to verify that no account information could be found on Respondent. I left a message to return my call.
Memo to File? No
Entered by: CKO
8. **Date and time:** June 10, 2019 @ 3:20 pm
Name: Paula Kirkpatrick—Bank Depository rep
Phone #: (850) 455-5421
Summary: I had telephone contact to inquire about the information produced by the subpoena. I explained that the information that they produced was for the incorrect year and didn't comply with the subpoena. She explained that her and her boss were only able to locate the information provided when researching. She told me that there were no other campaign accounts under his name. I explained that I would contact Respondent and get back with her with more information.
Memo to File? No
Entered by: CKO
9. **Date and time:** June 10, 2019 @ 3:30 pm

Name: Respondent

Phone #: (850) 450-3748

Summary: I had telephone contact to inquire about his campaign depository information. I left a message to return my call.

Memo to File? No

Entered by: CKO

10. **Date and time:** September 4, 2020 @ 3:20 pm

Name: Paula Kirkpatrick—Bank rep

Phone #: (850) 455-5421

Summary: I attempted telephone contact to inquire about the declaration letter not being sent regarding Respondent's correct campaign. I left a message to return my call.

Memo to File? No

Entered by: CKO

11. **Date and time:** September 9, 2020 @ 12:30 pm

Name: Janeese—Bank rep

Phone #: (850) 455-5421

Summary: I attempted telephone contact to speak with Ms. Kirkpatrick but was advised that she was still out of the office. I spoke with Janeese who advised me that I would need to speak with Ms. Kirkpatrick since she was already familiar with the situation. She advised me that Ms. Kirkpatrick should be back in the office within the next 30 minutes.

Memo to File? No

Entered by: CKO

12. **Date and time:** September 9, 2020 @ 2:20 pm

Name: Paula Kirkpatrick—Bank rep

Phone #: (850) 455-7351

Summary: I had telephone contact from Ms. Kirkpatrick returning my call. She instructed me to fax her a copy of the subpoena before she can send me a declaration letter after reviewing the information again. Fax # (850) 456-9959/Attn: Paula

Memo to File? No

Entered by: CKO

13. **Date and time:** September 21, 2020 @ 3:00 pm

Name: Respondent

Phone #: (850) 450-3748

Summary: I attempted telephone contact to complete final interview. I left a message to return my call.

Memo to File? No

Entered by: CKO



FLORIDA ELECTIONS COMMISSION

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

www.fec.state.fl.us; fec@myfloridalegal.com

May 17, 2019

Raymond Clayton Guillory
129 Park Drive
Pensacola, FL 32507-2507

RE: Case No.: FEC 18-475; Respondent: Raymond Clayton Guillory

Dear Mr. Guillory:

On December 14, 2019, 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, a 2018 candidate for the office of State Representative, District 2, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2018 TR reporting period.

Section 106.141(1), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for the office of State Representative, District 2, failed to timely file his 2018 Termination Report reflecting the disposition of all remaining campaign funds.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for the office of State Representative, District 2, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the 2018 TR reporting period.

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge respondent with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount

Raymond Clayton Guillory

May 17, 2019

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FEC 18-475

of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website (www.fec.state.fl.us).

If you have additional questions, please contact **Cedric Oliver**, the investigator assigned to this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Vaccaro", with a long horizontal line extending to the right.

Tim Vaccaro
Executive Director

TV/med

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

Name: Raymond Clayton Guillory
Account Number: 69719
Treasurer: Raymond Clayton Guillory

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, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon the candidate's alleged failure to file a report after notice as required by section 106.07(8)(d), Florida Statutes, or failure to notify the filing officer on the prescribed reporting date that no report was to be filed as required by Section 106.07(7), Florida Statutes.

The following report or notice is outstanding after notification:

2018 TR

Sent By: Kristi Reid Willis
Date: December 12, 2018 *KRW*

njt

REC'D: ELECTIONS COM
14 DEC 10 AM 11:29

AFFIDAVIT

STATE OF FLORIDA

County of Leon

Kristi Reid Willis, 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.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Raymond Clayton Guillory (69719) was a 2018 candidate for the office of State Representative.
5. On March 20, 2017, Mr. Guillory filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division.
6. The 2018 TR campaign treasurer's report was due on June 27, 2018. On August 1, 2018, the Division mailed Mr. Guillory notification that the 2018 TR treasurer's report had not been filed.
7. On November 7, 2018, the Division mailed Mr. Guillory notification that the 2018 TR treasurer's report had not been filed.
8. On November 20, 2018, the Division mailed Mr. Guillory final notification with delivery confirmation that the 2018 TR treasurer's report had not been filed. (See attached letter and delivery confirmation.)
9. Mr. Guillory did not notify the Division of Elections prior to or on the prescribed reporting date for the 2018 TR report that no report was to be filed.

10. As of December 12, 2018, Mr. Guillory has not filed the 2018 TR report.

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

Kristina Willis

Signature of Affiant

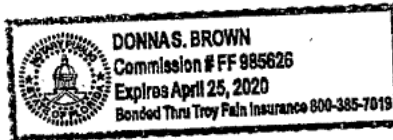
Sworn to (or affirmed) and subscribed before me this 12th day of December, 2018.

Donna S. Brown

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known





FLORIDA DEPARTMENT OF STATE
Ken Detzner
Secretary of State
DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # **9114 9014 9645 1750 4307 28**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811

November 20, 2018.

Raymond Clayton Guillory
Candidate for State Representative, District 2
129 Park Drive
Pensacola, FL 32507-2507

CAN 69719

Dear Mr. Guillory:

A recent review of the Division's records show that the Division has not yet received your termination report or the required notification that no reportable activity occurred, whichever is applicable.

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report or notification is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis
Kristi Reid Willis, Chief
Bureau of Election Records

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2018 ⓘ

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