

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Brian Staver

Case No.: FEC 23-139

TO: Mark Herron, Esquire
Messer Caparello, P.A.
Post Office Box 15579
Tallahassee, FL 32317

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **August 15, 2023 at 8:30 a.m.**, or as soon thereafter as the parties can be heard, at the following location: **Virtual Meeting via GoTo Webinar:**

WEB PARTICIPATION: <https://attendee.gotowebinar.com/register/4391393799096818270>

AUDIO PARTICIPATION: 1 877 309 2074 **ATTENDEE ACCESS CODE:** 424-284-031

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
August 1, 2023

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
CASE REPORT
Case Number: FEC-23-139

NAME: **BRIAN STAVER**

DATE APPEAL RECEIVED: 03/24/2023

DATE REPORT DUE: 11/04/2022 (2022 G6)

DATE OF ELECTRONIC RECEIPT: 11/10/2022

NUMBER OF DAYS LATE: 6

AMOUNT OF FINE: **\$1,199.82**

FINE BASED ON: (..) NUMBER OF DAYS (..) 25% OF RECEIPTS (X) 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$50.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$4,799.26

DATE OF FIRST NOTIFICATION: 11/07/2022 (Failure to File Ltr)

SUMMARY: Brian Staver was a candidate for State Representative, District 54 in the 2022 elections. Sherri Staver was his treasurer. Attorney Mark Herron, Esq. is representing Mr. Staver in this matter.

According to Mark Herron, Esq., Mr. Staver had difficulty obtaining information from ActBlue and his bank. In addition, Mr. Staver was also dealing with his daughter and parents' medical issues while preparing for a hurricane.

- The 2022 G6 Original Report covers the period from 10/22/22-11/03/22; it was due on 11/04/22.
- The 2022 G6 Queued Transaction Report shows that it was created on 10/32/22 and filed on 11/10/22. The report was also amended on 12/8/22.
- Brian Staver reported receiving 1 contribution, while making 4 expenditures.
- The Division of Elections provided two notes that pertain to Brian Staver's 2022 G6 report. On 12/07/22 and 01/26/23, Mr. Staver called to discuss fine letters from the Division. DOE staff referred him to the Florida Elections Commission.

PRIOR CASES: NONE.

CANDIDATE [X]	STATE [X]
PC []	DISTRICT []
CCE []	COUNTY []
POLITICAL PARTY []	CITY []

From: [Donna Malphurs](#)
To: [Br"Axeton Wims](#)
Subject: FW: Appeals of Fines for Late-filed Reports
Date: Friday, March 24, 2023 1:34:53 PM
Attachments: [FEC Appeal.pdf](#)
[FEC Appeal - Late Filed.pdf](#)

From: Mark Herron <mherron@lawfla.com>
Sent: Friday, March 24, 2023 12:58 PM
To: Donna Malphurs <Donna.Malphurs@myfloridalegal.com>
Subject: Appeals of Fines for Late-filed Reports

See attached appeals of the fines imposed by the Division of Elections

Mark Herron

Messer Caparello, P.A.
Telephone: (850) 2220720
Direct: (850) 425-5217
Cell: (850) 567-4878
Fax: (850) 558-0659
Email: mherron@lawfla.com



**BEFORE THE
STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

IN RE: Brian Staver,

Appeal of Fines Imposed for Late-Filed Campaign Treasurer's Reports

Brian Staver, through undersigned counsel, submits this late-filed appeal of the fines imposed by the Division of Elections in connection with late filed campaign treasurer's reports. With respect to this appeal, Mr. Staver requests a hearing before the Florida Elections Commission ("FEC").

In support of this appeal and request for hearing, Mr. Staver states:

Treasurer's Report Due October 7, 2022

1. On or about October 24, 2022, Donna Brown, Chief, Bureau of Elections Records, sent a letter to Mr. Staver indicating that the campaign treasurer's report that was due on October 7, 2022, was filed on October 11, 2022 and that a late fine of \$400.00 had been assessed. (Exhibit 1.)

2. On or about January 20, 2023 10, Donna Brown, Chief, Bureau of Elections Records, sent a second letter to Mr. Staver indicating that the campaign treasurer's report that was due on October 7, 2022, was filed on October 11, 2022 and that a late fine of \$400.00 had been assessed. (Exhibit 2.)

3. The Calendar of Reporting Dates for 2022 Candidates (other than statewide candidates) registered with the Division of Elections does not list a campaign treasurer's report that was due on October 7, 2022. (Exhibit 3.)

Treasurer's Report Due October 28, 2022

4. On or about November 17, 2022, Donna Brown, Chief, Bureau of Elections Records, sent a letter to Mr. Staver indicating that the 2022 G5 campaign treasurer's report that was due on October 28, 2022, was filed on November 1, 2022 and that a late fine of \$485.15 had been assessed. (Exhibit 4.)

5. On or about January 20, 2023, Donna Brown, Chief, Bureau of Elections Records, sent a second letter to Mr. Staver indicating that the 2022 G5 campaign treasurer's report that was due on October 28, 2022, was filed on November 1, 2022 and that a late fine of \$485.15 had been assessed. (Exhibit 5.)

Treasurer's Report Due November 4, 2022

6. On or about November 7, 2022, Donna Brown, Chief, Bureau of Elections Records, sent a letter to Mr. Staver indicating that the campaign treasurer's report that was due on November 4, 2022, had not been filed. (Exhibit 6.)

7. On or about January 20, 2023, Donna Brown, Chief, Bureau of Elections Records, sent a letter to Mr. Staver indicating that the 2022 G6 campaign treasurer's report that was due on November 4, 2022, was filed on November 10, 2022 and that a late fine of \$1,199.82 had been assessed. (Exhibit 7.)

Communications With Undersigned Counsel

8. On January 27, 2023, Mr. Staver contacted undersigned counsel's office seeking representation in connection with these matters and, as a result of his conversation with staff, came away with the impression that undersigned counsel agreed to represent him in these matters. However, at that time undersigned counsel had not agreed to represent Mr. Staver.

9. On March 17, 2023, Mr. Staver again contacted undersigned counsel's office seeking representation in these matters and this time spoke with undersigned counsel who agreed to represent Mr. Staver in these matters.

Appeal of Fine Imposed

10. Section 106.07(8), Florida Statutes, authorizes a candidate to appeal or dispute a fine imposed by the Division of Elections, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date. The candidate may request and shall be entitled to a hearing before the FEC, which shall have the authority to waive the fine in whole

or in part. The FEC must consider the mitigating and aggravating circumstances contained in Section 106.265(2) when determining the amount of a fine, if any, to be waived.

11. During these reporting periods, Mr. Staver was having a very difficult time retrieving information from ActBlue and the bank that would need to be reported. Mr. Staver was also dealing with several issues concerning his eldest daughter who has both mental and physical issues requiring a great deal of my attention during this period and continuing to this day. These issues include Fibromyalgia, Gittelsmans syndrome, abusive mother, PTSD, rape, anxiety disorder, and arranging for her move from California to Florida. Mr. Staver can provide full medical documentation to verify the above. During this time, Mr. Staver was also running a campaign, preparing for a hurricane, and issues with his mother and father who are in their late 80s and are showing issues associated with Alzheimer's and dementia.

Conclusion

Based on the foregoing, Mr. Staver respectfully requests that the FEC take up this late-filed appeal, grant him hearing a hearing as requested, and waive the assessed fine, in whole or in part, based on the standards set out in Section 106.07(8)(c), Florida Statutes.

Respectfully submitted this 24th day of March 2023, by:

/s/ *Mark Herron*

Mark Herron
Florida Bar No.: 0199737
MESSER CAPARELLO, P.A.
Post Office Box 15579
Tallahassee, FL 32317
Email: mherron@lawfla.com
Telephone: (850) 222-0720
Facsimile: (850) 224-4359

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this appeal of the fines imposed by the Division of Elections was filed with the Agency Clerk, Florida Elections Commission, Room 224, The Collins Building, 107 West Gaines Street, Tallahassee, FL 32399-1050, by electronic mail on this 24th day of March 2023.

/s/ *Mark Herron*



FLORIDA DEPARTMENT OF STATE

Cord Byrd
Secretary of State

DIVISION OF ELECTIONS

November 7, 2022

Brian Staver
Candidate for State Representative, District 54
32896 Estate Garden Drive
Wesley Chapel, FL 33545-3545

CAN 79261

Dear Mr. Staver:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was November 4, 2022.

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 follows until you file your report:
 - \$50 per day for the first 3 days late
 - \$500 per day for each day after the 3rd day late
 - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

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,

Donna S. Brown, Chief
Bureau of Election Records

cc: Sherri Staver, Treasurer



FLORIDA DEPARTMENT OF STATE
Cord Byrd
Secretary of State
DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation: 9114 9022 0085 2074 0809 89

January 20, 2023

Brian Staver
Candidate for State Representative, District 54
32896 Estate Garden Drive
Wesley Chapel, FL 33545-3545

CAN 79261

Dear Mr. Staver:

The campaign treasurer's report that was due on November 4, 2022, was filed on November 10, 2022. By law, you are automatically assessed a late fine of \$1,199.82.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

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

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records

Calendar of Reporting Dates
for 2022 Candidates (other than statewide candidates)
registered with the Division of Elections

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
12/1/21 - 12/31/21	2021 M12	1/10/2022
1/1/22 - 1/31/22	2022 M1	2/10/2022
2/1/22 - 2/28/22	2022 M2	3/10/2022
3/1/22 - 3/31/22	2022 M3	4/11/2022
4/1/22 - 4/30/22	2022 M4	5/10/2022
5/1/22 - 5/31/22	2022 M5	6/10/2022

6/1/22 - 6/17/22	2022 P1	6/24/2022
6/18/22 - 7/1/22	2022 P2	7/8/2022
7/2/22 - 7/15/22	2022 P3	7/22/2022
7/16/22 - 7/22/22	2022 P4	7/29/2022
7/23/22 - 7/29/22	2022 P5	8/5/2022
7/30/22 - 8/5/22	2022 P6	8/12/2022
8/6/22 - 8/18/22	2022 P7	8/19/2022

8/19/22 - 8/26/22	2022 G1	9/2/2022
8/27/22 - 9/9/22	2022 G2	9/16/2022
9/10/22 - 9/23/22	2022 G3	9/30/2022
9/24/22 - 10/7/22	2022 G4	10/14/2022
10/8/22 - 10/21/22	2022 G5	10/28/2022
10/22/22 - 11/3/22	2022 G6	11/4/2022

Termination Reports

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
After April-May Qualifying	TR	7/28/2022
After June Qualifying	TR	9/15/2022
Primary Election	TR	11/21/2022
General Election	TR	2/6/2023

From: [Mark Herron](#)
To: [Donna Malphurs](#)
Cc: [Cindy Lowell](#); [Br'Axeton Wims](#)
Subject: RE: Appeals of Fines for Late-filed Reports
Date: Friday, March 24, 2023 4:34:33 PM
Attachments: [FEC Appeal - Late Filed Exhibit 1.pdf](#)
[FEC Appeal - Late Filed Exhibit 2.pdf](#)
[FEC Appeal - Late Filed Exhibit 3.pdf](#)
[FEC Appeal - Late Filed Exhibit 4.pdf](#)
[FEC Appeal - Late Filed Exhibit 5.pdf](#)
[FEC Appeal - Late Filed Exhibit 6.pdf](#)
[FEC Appeal - Late Filed Exhibit 7.pdf](#)

Here are the exhibits for the appeal of fines imposed for late-filed October 7, 2022 / 2022 G5 and G6 campaign treasurer's reports.

Mark Herron

Messer Caparello
Telephone: (850) 222-0720
Direct: (850) 425-5217
Cell: (850) 567-4878
Email: mherron@lawfla.com

From: Donna Malphurs <Donna.Malphurs@myfloridalegal.com>
Sent: Friday, March 24, 2023 4:07 PM
To: Mark Herron <mherron@lawfla.com>
Cc: Cindy Lowell <clowell@lawfla.com>; Br'Axeton Wims <Braxeton.Wims@myfloridalegal.com>
Subject: RE: Appeals of Fines for Late-filed Reports

Good afternoon Mr. Herron.

The appeals mention "exhibits" but non were included. Is there exhibits that go with these appeals?

Regards,

Donna Ann Malphurs
Agency Clerk/Public Information Officer

From: Mark Herron <mherron@lawfla.com>
Sent: Friday, March 24, 2023 12:58 PM
To: Donna Malphurs <Donna.Malphurs@myfloridalegal.com>
Subject: Appeals of Fines for Late-filed Reports

See attached appeals of the fines imposed by the Division of Elections

Mark Herron

Messer Caparello, P.A.

Telephone: (850) 222-0720

Direct: (850) 425-5217

Cell: (850) 567-4878

Fax: (850) 558-0659

Email: mherron@lawfla.com





FLORIDA DEPARTMENT OF STATE
Cord Byrd
Secretary of State
DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation: 9114 9022 0085 2074 0809 89

January 20, 2023

Brian Staver
Candidate for State Representative, District 54
32896 Estate Garden Drive
Wesley Chapel, FL 33545-3545

CAN 79261

Dear Mr. Staver:

The campaign treasurer's report that was due on November 4, 2022, was filed on November 10, 2022. By law, you are automatically assessed a late fine of \$1,199.82.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
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2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

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

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE
Cord Byrd
Secretary of State
DIVISION OF ELECTIONS

November 7, 2022

CAN 79261

Brian Staver
Candidate for State Representative, District 54
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If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records

cc: Sherri Staver, Treasurer

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

- (1) Brian Staver (2) 79261
Candidate, Committee or Party Name I.D. Number
- (3) 32896 Estate Garden Drive Wesley Chapel FL 33545
Address (number and street) City State Zip Code
 Check box if address has changed since last report
- (4) Check appropriate box(es):
 Candidate (office sought):
 Political Committee Check If PC has DISBANDED
 Committee of Continuous Existence Check If CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 10/22/2022 To 11/03/2022 Report Type: G6
 Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$50.00
Loans	\$0.00
<i>Total Monetary</i>	\$50.00
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$4,799.26
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$4,799.26

(8) Other Distributions

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

Name of Treasurer Deputy Treasurer

X
Signature

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

Name of Candidate Chairman (PC/PTY Only)

X
Signature

Name: Brian Staver

Report: 2022 G6

Period: 10/22/2022 to 11/03/2022

** Records in Filed Report **

Seq #	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Contributor	Occupation	Amount
		Type	In-Kind Description	
1	ECOMMERCE VANTIV 900 CHELMSFORD ST LOWELL, MA 01851	B	ELECTRONIC FUNDS	\$50.00
10/24/2022		CHE		

Name: Brian Staver

Report: 2022 G6

Period: 10/22/2022 to 11/03/2022

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 10/24/2022	FACEBOOK 1 HACKER WAY MENLO PARK, CA 94025	MON	ELECTRONIC ADVERTISING	\$175.00 UPD
* 1 10/24/2022	FACEBOOK 1 HACKER WAY MENLO PARK,	MON	ELECTRONIC ADVERTISING	\$175.00 History 12/08/22
2 10/27/2022	VISTAPRINT 275 WYMAN ST WALTHAM,, MA 02451	MON	OFFICE SUPPLIES	\$978.36 UPD
* 2 10/27/2022	VISTAPRINT 275 WYMAN ST, MA 02451	MON	OFFICE SUPPLIES	\$978.36 History 12/08/22
3 10/27/2022	REACH SPECTRUM 400 ATLANTIC STREET STAMFORD, CT 06901	MON	ELECTRONIC ADVERTISING	\$3,045.90
4 10/28/2022	SOUNDVILLE STUDIOS 32332 FISH HOOK LP WESLEY CHAPEL, FL 33545	MON	ELECTRONIC ADVERTISING	\$600.00

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED FUND TRANSFERS

Page 1 of 1

Name: Brian Staver

Report: 2022 G6

Period: 10/22/2022 to 11/03/2022

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount Amend

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS

Name: Brian Staver

Report: 2022 G6

Period: 10/22/2022 to 11/03/2022

**** Records in Filed Report ****

Seq #	Full Name (Last, Suffix, First, Middle)	Recipient	Purpose	Amount
Date	Street Address & City, State, Zip	Type	Related Expenditure	Amend

Queued Items for 2022-G6

Account: 79261

STR 054 Brian Staver

Rpt Seq: 29

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	79261	10/31/2022 2:50:31 PM	10/31/2022 2:50:31 PM
Review Pending Report	Processing Complete	79261	11/10/2022 2:17:36 PM	11/10/2022 2:17:36 PM
File Pending Report	Processing Complete	79261	11/10/2022 2:19:08 PM	11/10/2022 2:19:08 PM
Amend Filed Report	Processing Complete	79261	11/26/2022 11:46:33 AM	11/26/2022 11:46:33 AM
Review Pending Report	Processing Complete	79261	12/8/2022 1:00:18 PM	12/8/2022 1:00:18 PM
File Pending Report	Processing Complete	79261	12/8/2022 1:01:31 PM	12/8/2022 1:01:31 PM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Brian Staver

Name:

Account: [79261](#)

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
2/6/2023	TR	2/6/2023						
11/4/2022	G6	11/10/2022	APP	6	\$1,199.82		\$1,199.82	\$0.00
10/28/2022	G5	11/1/2022	SNT	4	\$485.15		\$485.15	\$0.00
10/14/2022	G4	11/16/2022	SNT	33	\$1,424.76		\$1,424.76	\$0.00
10/7/2022	G3	10/11/2022	FEC	4	\$400.00		\$400.00	\$0.00
9/16/2022	G2	9/11/2022						
9/2/2022	G1	8/30/2022						
8/19/2022	P7	8/23/2022	CLO	4	\$2.50		\$2.50	\$2.50
8/12/2022	P6	8/19/2022	CLO	7	\$18.75		\$18.75	\$18.75
8/5/2022	P5	8/4/2022						
7/29/2022	P4	8/4/2022	CLO	6	\$80.00		\$80.00	\$80.00
7/22/2022	P3	7/17/2022						
7/8/2022	P2	7/8/2022						
6/24/2022	P1	7/8/2022	CLO	14	\$64.22		\$64.22	\$64.22
6/10/2022	M5	6/8/2022						
5/10/2022	M4	5/9/2022						
4/11/2022	M3	3/31/2022						
3/10/2022	M2	3/6/2022						
2/10/2022	M1	2/7/2022						
1/10/2022	M12	1/7/2022	CLO	0	\$52.80		\$52.80	\$52.80
12/10/2021	M11	12/9/2021						
11/10/2021	M10	11/8/2021						
10/12/2021	M9	10/8/2021						
9/10/2021	M8	9/11/2021	CLO	1	\$35.52		\$35.52	\$35.52
8/10/2021	M7	8/10/2021						
7/12/2021	M6	7/7/2021						
6/10/2021	M5	7/7/2021	CLO	0	\$26.25		\$26.25	\$26.25
6/10/2021	M5	7/7/2021	CLO	27	\$0.00		\$0.00	\$0.00
5/10/2021	M4	5/30/2021	CLO	0	\$26.25		\$26.25	\$26.25
5/10/2021	M4	5/30/2021	CLO	20	\$0.00		\$0.00	\$0.00
4/12/2021	M3	4/1/2021						
3/10/2021	M2	3/17/2021	CLO	7	\$0.00		\$0.00	\$0.00



**Florida Department of State
Division of Elections**

**2022 General Election
Brian Staver (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			
W	02/22/2021 - 02/28/2021	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	03/01/2021 - 03/31/2021	20.00	643.55	0.00	158.28	0.00	0.00
<input type="radio"/>	04/01/2021 - 04/30/2021	20.00	0.00	0.00	163.81	0.00	0.00
<input type="radio"/>	05/01/2021 - 05/31/2021	0.00	0.00	0.00	134.31	0.00	0.00
<input type="radio"/>	06/01/2021 - 06/30/2021	0.00	0.00	0.00	133.49	0.00	0.00
<input type="radio"/>	07/01/2021 - 07/31/2021	255.00	500.00	0.00	135.17	0.00	0.00
<input type="radio"/>	08/01/2021 - 08/31/2021	100.00	0.00	0.00	142.06	0.00	0.00
<input type="radio"/>	09/01/2021 - 09/30/2021	228.70	0.00	0.00	159.37	0.00	0.00
<input type="radio"/>	10/01/2021 - 10/31/2021	55.22	0.00	0.00	133.92	0.00	0.00
<input type="radio"/>	11/01/2021 - 11/30/2021	10.00	0.00	0.00	181.30	0.00	0.00
<input type="radio"/>	12/01/2021 - 12/31/2021	8.66	0.00	0.00	212.56	6.20	0.00
<input type="radio"/>	01/01/2022 - 01/31/2022	34.16	0.00	0.00	51.62	0.00	0.00
<input type="radio"/>	02/01/2022 - 02/28/2022	92.52	1,768.09	0.00	100.80	0.80	0.00
<input type="radio"/>	03/01/2022 - 03/31/2022	45.00	5,000.00	0.00	0.68	33.70	0.00
<input type="radio"/>	04/01/2022 - 04/30/2022	275.00	20.00	0.00	234.77	32.50	0.00
<input type="radio"/>	05/01/2022 - 05/31/2022	451.00	0.00	0.00	146.10	55.00	0.00
<input type="radio"/>	06/01/2022 - 06/17/2022	280.00	0.00	0.00	1.65	0.00	0.00
<input type="radio"/>	06/18/2022 - 07/01/2022	60.00	0.00	0.00	88.60	0.00	0.00
<input type="radio"/>	07/02/2022 - 07/15/2022	1,015.00	0.00	0.00	25.14	0.00	0.00
<input type="radio"/>	07/16/2022 - 07/22/2022	320.00	0.00	0.00	2.41	0.00	0.00
<input type="radio"/>	07/23/2022 - 07/29/2022	25.00	0.00	0.00	0.38	0.00	0.00
<input type="radio"/>	07/30/2022 - 08/05/2022	25.00	0.00	0.00	77.94	0.00	0.00
<input type="radio"/>	08/06/2022 - 08/18/2022	10.00	0.00	0.00	324.12	0.00	0.00
<input type="radio"/>	08/19/2022 - 08/26/2022	10.00	0.00	0.00	0.15	0.00	0.00
<input type="radio"/>	08/27/2022 - 09/09/2022	284.38	200.00	0.00	236.26	0.00	0.00
<input type="radio"/>	09/10/2022 - 09/23/2022	1,000.00	600.00	0.00	1,218.40	0.00	0.00
<input type="radio"/>	09/24/2022 - 10/07/2022	25.00	0.00	0.00	5,699.04	0.00	0.00
<input type="radio"/>	10/08/2022 - 10/21/2022	1,940.60	0.00	0.00	292.13	0.00	0.00

<input type="radio"/>	10/22/2022 - 11/03/2022	50.00	0.00	0.00	4,799.26	0.00	0.00
<input type="radio"/>	11/04/2022 - 02/06/2023	0.00	0.00	0.00	322.27	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	6,640.24	8,731.64	0.00	15,175.99	128.20	0.00

Note: ^(E) indicates that report was filed electronically

X Indicates that detail has not been released

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

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

[Query the Campaign Finance Data Base](#)

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

HISTORY NOTES
Brian Staver - 79261

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
78906	2/10/2023 4:00:00 PM		jmbarreiros
<p>2/10/23: Mr. Staver called because he received a bill after closing his campaign and finishing TR report. After consultation w/ Sheena. Mr. Staver was advised to report the bill as In-Kind contribution with an contribution type of Loan. Report the expenditure as Monetary and write Letter of Explanation to BER. JB</p>			
78792	1/26/2023 4:22:00 PM		STBaker
<p>RE: Call Regarding Fine Letters</p> <p>Received a call from Brian Staver regarding the fine letters he received. He stated that the letters were dated for 1/20/23, and the amounts are "extreme". He said that he doesn't have the funds to pay said fines. I advised him to contact the FEC for an appeal and through that process, he will be notified by them what happens with those fines.</p>			
78515	12/7/2022 5:02:00 PM		stbaker
<p>RE: Appeal of Fine(s) Sent</p> <p>Received an email from the ElecRecords email address regarding Mr. Staver and the appeals process for fines. I gave him a call at (813) 665-0024. He stated he was driving and did not have any information in front of him. I advised him that I would send a response/forwarding email to him with the information he will need to file an appeal of the fine. I advised him that the FEC handles all appeals and that to appeal a fine he would need to send them a letter of appeal and that we would only need a copy of said letter. I forwarded the email that I received from Management that shows the corresponding between Mr. Staver and our office, with me responding to his last email. I gave him the address and contact number for the FEC and reiterated where and to whom appeals go to.</p>			
76734	3/25/2022 11:54:00 AM		kaford
<p>DSDE-9 incomplete:</p> <p>3/25/2022 - Spoke with candidate regarding Block #3 (Address) being blank. Candidate stated the wrong DSDE-9 was scanned as the DSDE-9 received on March 24, 2022 was the corrected form because the first DSDE-9 received on March 21, 2022 was missing his address in Block #3. Advised candidate that there was no address provided on the DSDE-9 received on March 24, 2022. Further advised candidate that his DSDE-9 needs to be fully complete in order for it to be processed. Candidate advised he will send the form. kaf</p>			
76198	12/15/2021 3:28:00 PM		stbaker
<p>RE - Missed Fine Payment for the 2021 M4 Report</p> <p>Called and spoke to Candidate, Brian Staver, advising him of the missed fine payment of the late filing of the 2021 M4. I explained that there were 2 fines for the amount of \$26.25, however, the Division only received one payment. He stated it was an oversight and that he would be sending in a payment today to cover the missed 2021 M4 fine.</p>			
74342	4/1/2021 2:16:00 PM		mcchellman
<p>RE Creds, received call from C and T, confirmed their identity, gave them their PINs 2:15 pm.</p>			
74061	3/16/2021 4:40:00 PM		zjsantos
<p>RE: Credentials</p> <p>I received a call from Mr. Staver and released his credentials to him and to his treasurer over the phone.</p>			
73856	3/10/2021 9:03:00 AM		zjsantos
<p>RE: Credentials</p> <p>I left the treasurer a voicemail to call back if they have yet to receive they're credentials, I also mentioned that there is a report due today.</p>			

**STATE OF FLORIDA
OFFICE OF THE SECRETARY OF STATE
FLORIDA DEPARTMENT OF STATE
EMERGENCY ORDER NUMBER 22-01
(Emergency Management/Elections – Hurricane Ian)**

WHEREAS, on September 23, 2022, Governor DeSantis issued Executive Order 22-218 regarding Tropical Depression Nine and declared a state of emergency in 24 counties; and

WHEREAS, on September 24, 2022, Tropical Depression Nine strengthened into Tropical Storm Ian, and Governor DeSantis issued Executive Order 22-219 reaffirming his previous order and declaring a state-wide emergency; and

WHEREAS, on September 26, 2022, Tropical Storm Ian strengthened into Hurricane Ian with maximum sustained winds of 85 miles per hour; and

WHEREAS, on September 27, 2022, Hurricane Ian continued to strengthen, increasing its maximum sustained winds to 125 miles per hour; and

WHEREAS, on September 28, 2022, Hurricane Ian made landfall off the coast of Fort Myers as a category 4 hurricane with sustained winds of approximately 150 miles per hour, traveled across the peninsula, and exited the state from Cape Canaveral on September 29, 2022; and

WHEREAS, because Hurricane Ian inflicted catastrophic storm surge and wind damage along its path, a major disaster has been declared in affected areas of the State; and

WHEREAS, numerous county Supervisors of Elections have experienced office closures, and utility and telecommunication disruptions have occurred across the state; and

WHEREAS, Section 4 of Executive Order 22-218, as amended by Executive Order 22-219, allows state agencies to suspend the provisions of any regulatory statute, order, or rule, if strict compliance with the provisions of the statute, order, or rule would prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, the devastation and destruction of Hurricane Ian has affected the ability of candidates, including those participating in matching funds, political committees, and electioneering communication organizations to file timely campaign finance reports without jeopardizing ongoing efforts to cope with the emergency; and

WHEREAS, compliance with upcoming campaign finance and state campaign matching fund deadlines will unnecessarily detract from response and recovery activities in the immediate aftermath of Hurricane Ian.

NOW, THEREFORE, I, CORD BYRD, as Florida Secretary of State, by the authority vested in me by Executive Order 22-218, as amended by Executive Order 22-219, and all other applicable laws, promulgate the following Emergency Order, to take effect immediately:

Section 1. The filing deadline for campaign finance reports contained in Sections 106.07(1) and 106.0703(1), Florida Statutes, is suspended until Friday, October 7, 2022. Accordingly, any reports that would otherwise be due on September 30, 2022, shall be filed no later than October 7, 2022.

Section 2. This order shall remain in effect as stated above or until modified by order of the Florida Secretary of State.

Executed this 30th day of September 2022, in Florida Department of State, Office of the Secretary, Tallahassee, Leon County, Florida.




Cord Byrd
Florida Secretary of State

DEPARTMENT OF STATE
TALLAHASSEE, FL
2022 SEP 30 AM 8:00

FILED

Candidate Tracking System

2022 General Election

State Representative

District 54

Brian Staver

Democrat

Address

32896 Estate Garden Drive
Wesley Chapel, FL 33545

Campaign Treasurer

Sherrri Staver
32896 Estate Garden Drive
Wesley Chapel, FL 33545-

Phone: (408)313-3043

Status:Defeated

Date Filed:02/22/2021

Date Qualified:06/16/2022

Method:Petition method

Campaign Finance Activity

Campaign Documents

Petition Signatures



FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

February 23, 2021

Brian Staver
32896 Estate Garden Drive
Wesley Chapel, Florida 33545

Dear Mr. Staver:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on February 22, 2021. Your name has been placed on the 2022 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **March 10, 2021**. The report will cover the period of February 1-28, 2021 (2021 M2). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

EFS Access

Below is the web address to access the EFS and your user identification number. Enclosed are your confidential, filing credentials.

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

Identification Number: 79261

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.

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](https://dos.myflorida.com/elections)



Brian Staver
February 23, 2021
Page Two

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three days late and, thereafter, \$500 per day for each late day, not to exceed 25% 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.

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 <https://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,



Kristi Reid Willis, Chief
Bureau of Election Records

KRW/zjs

Enclosures

pc: Sherri Staver, Treasurer

**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
2022 MAR 30 AM 9:12
DIVISION OF ELECTIONS
TALLAHASSEE FL

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)

Brian Staver

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

Brian Staver
32896 Estate Garden Dr.
Wesley Chapel Fl. 33545

4. Telephone

(408) 313-3043

5. E-mail address

brianstaver123@gmail.com

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

Florida House of representatives *District 54*

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

Sherrri Staver

11. Mailing Address

32896 Estate Garden Dr.

12. Telephone

(408) 313-3043

13. City

Wesley Chapel

14. County

Pasco

15. State

Fl

16. Zip Code

33545

17. E-mail address

sj.castonguay@yahoo.com

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

19. Name of Bank

Truist

20. Address

P.O. Box 305183

21. City

Nashvill

22. County

Davidson

23. State

Tn

24. Zip Code

37230-5183

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

03/22/2022

26. Signature of Candidate

X Brian Staver

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

I, Sherrri Staver, do hereby accept the appointment

(Please Print or Type Name)

designated above as: Campaign Treasurer. Deputy Treasurer.

3/22/2022

Date

X Sherrri Staver

Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

RECEIVED ONLY

2021 FEB 22 PM 1:00

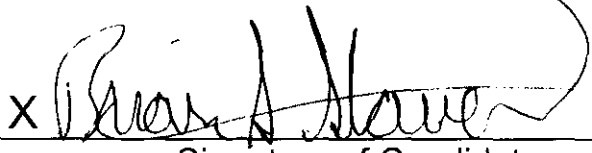
DIVISION OF ELECTIONS
TALLAHASSEE, FL

I, Brian Staver ,

candidate for the office of Florida House of Representatives District 38 ;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X 
Signature of Candidate

02/17/2021
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).