

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle C. Gibson

Case No.: FEC 15-261

TO: Kyle C. Gibson
1418 NE 57th Court
Ft. Lauderdale, FL 33334-6118

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

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **February 17, 2016 at 10:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Florida State Conference Center, 555 West Pensacola Street, Room #108, Tallahassee, Florida 32306.**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
February 2, 2016

Please refer to the information below for further instructions related to your particular hearing:

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

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

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

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

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

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

FILED

15 DEC -4 AM 11:40

ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 15-261

v.

**Kyle C. Gibson,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 17, 2015, in Tallahassee, Florida.

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

Count 1

On or about March 2, 2015, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely make necessary amendments to the campaign's 2014 M4 Report.

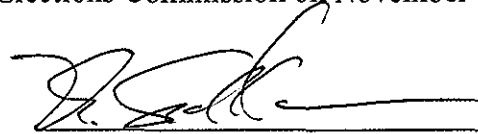
Count 2

On or about March 2, 2015, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely make necessary amendments to the campaign's 2014 Termination Report.

Count 3

On or about December 4, 2014, Respondent violated Section 106 19(1)(c), Florida Statutes, when he falsely reported a \$125 campaign expenditure on his 2014 Termination Report that occurred almost 30 days after the campaign depository was closed.

DONE AND ORDERED by the Florida Elections Commission on November 17, 2015.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:

Jaakan A. Williams, Assistant General Counsel

Kyle C. Gibson, 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: Kyle Chaderwick Gibson

Case No.: FEC 15-261

TO: Kyle Chaderwick Gibson
1418 NE 57th Court
Ft. Lauderdale, FL 33334-6118

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

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **November 17, 2015 at 10:30 AM, or as soon thereafter as the parties can be heard**, at the following location: **Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399.**

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
November 2, 2015

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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.

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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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle Chaderwick Gibson

Case No.: FEC 15-261

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.07(2)(b)1.**, and **106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on August 28, 2015, the following facts and law support this staff recommendation:

1. On March 9, 2015, the Florida Elections Commission ("Commission") received a referral from the Department of State, Division of Elections ("Complainant") alleging that Kyle Chaderwick Gibson ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was a write-in candidate for the office of Governor during the 2014 election cycle, and he served as his own campaign treasurer. (ROI Exhibit 2)

3. Complainant alleged that Respondent failed to file an addendum to his 2014 M4 and the 2014 TR Reports after receiving notice the reports were incomplete, and that Respondent's 2014 Termination Report reflected a surplus balance after it was filed

4. By letter dated May 29, 2015, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.07(2)(b)1., Florida Statutes: Respondent, a 2014 candidate for Florida Governor, acting as his own treasurer, failed to timely make necessary amendments to the campaign's 2014 M4, and TR campaign treasurer reports, as alleged in the complaint.

Section 106.141(1), Florida Statutes: Respondent, a 2014 candidate for Florida Governor, acting as his own treasurer, failed to dispose of surplus campaign funds within 90 days of his removal from the 2014 general election ballot, as alleged in the complaint

Section 106.19(1)(c), Florida Statutes: Respondent, a 2014 candidate for Florida Governor, acting as his own treasurer, falsely reported or deliberately failed to include information required by Chapter 106, as alleged in the complaint.

Alleged Violation: Section 106.07(2)(b)1., Florida Statutes

5. On January 4, 2011, Respondent filed his original Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form ("DS-DE 9") and appointed himself as campaign treasurer. On September 25, 2013 and June 19, 2014, Respondent filed amended DS-DE 9 forms, but maintained his status as campaign treasurer. (ROI Exhibit 2)¹

6. By letters dated January 8, 2015, February 5, 2015, and February 18, 2015, the Division informed Respondent that his 2014 M4 and his 2014 TR Reports were incomplete and required an amendment. The letters advised Respondent to amend each of the above two reports within seven days from receipt of the notice. As a courtesy, the Division attached an error report explaining the items that required an amendment on each report. (ROI Exhibits 4, 5, and 6)

7. The letter dated February 18, 2015 and labeled as "Final Notice" was sent via certified mail and confirmed delivered to Respondent on February 26, 2015. (ROI Exhibit 6)

8. In his sworn affidavit-questionnaire, when asked why he did not file addendums to the reports upon receiving notification from the Division, Respondent replied, "Failed to press update report." Respondent also stated, "I have written the Elections Division to re-send my 2014 password. I disregarded it when report was done." (ROI Exhibit 7)

9. Despite having received three written reminders from the Division, Respondent failed to make timely amendments to his campaign's 2014 M4 and the 2014 Termination Report after receiving notice from the Division that the reports required an amendment, in violation of Section 106.07(2)(b)1, Florida Statutes. (ROI Exhibits 4-6)

Alleged Violation: Section 106.141(1), Florida Statutes

10. Commission staff investigated whether Respondent failed to dispose of surplus funds within 90 days of his removal from the 2014 general election ballot.

11. In its letters dated January 8, 2015, February 5, 2015, and February 18, 2015, the Division informed Respondent that his 2015 Termination Report was incorrect in part because it "Reflects balance after termination report filed."² The Division provided Respondent with a document titled "Sum of Contributions vs Expenditures," relative to his 2014 campaign. The document indicates that after the filing of Respondent's 2014 Termination Report, the campaign appeared to have a surplus balance of \$1,343.14" (ROI Exhibit 4)

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

² Respondent's termination report was filed with the Division on December 4, 2014. The 2014 Termination Report covered the period August 30 – December 3, 2014.

12. Commission staff subpoenaed bank records from Respondent's campaign depository as part of its investigation. The bank records indicate that the account was closed on July 28, 2014. The monthly bank statement covering June 27 – July 28, 2014 reflected a beginning balance on June 27, 2014 of \$24.55. On July 28, 2014, a deposit/credit of \$24.55 was made to the account and the deposit/credit was described as "Fees Charged Off."³ (ROI Exhibit 8)

13. During a July 14, 2015 telephone interview with Commission staff, a representative of Wells Fargo Legal Order Processing confirmed that Respondent's campaign account closed on July 28, 2014. (See Attachment "A," phone log entry # 3)

14. It appears that the issue with Respondent's campaign showing a surplus balance is due to incorrect reporting on earlier filed campaign treasurer's reports. Wells Fargo Legal Processing Department staff confirmed to Commission staff that Respondent's campaign account was closed effective July 28, 2014 and reflected a zero balance. Respondent disposed of all surplus funds in his campaign depository long before the 90 days of his removal from the general election ballot had occurred. Therefore, Respondent has not committed a violation of Section 106.141(1), Florida Statutes. (ROI Exhibit 8)

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

15. Commission staff investigated whether Respondent falsely reported or deliberately failed to include information on his campaign treasurer's reports, in violation of Section 106.19(1)(c), Florida Statutes.

16. Respondent filed his 2014 Termination Report on December 4, 2014. Respondent reported an expenditure in the amount of \$125.00 for the purpose of "Loan Made To Campaign" that allegedly occurred on August 20, 2014. However, Commission staff was unable to ascertain whether that alleged expenditure was legitimate because there is no record of the expenditure in Respondent's bank records, and the existence of the undisputable fact that the campaign account was closed on July 28, 2014. (ROI Exhibit 4, page 3 and ROI Exhibit 8)

17. When asked to explain that discrepancy on his questionnaire-affidavit, Respondent replied, "Need to get into account to see this report when password is re-sent from DOE. I will make the needed changes to view the record." Respondent failed to address the question of how he made a \$125 campaign expenditure to himself out of the campaign account on August 20, 2014 when the campaign account was closed on July 28, 2014. (ROI Exhibit 7)

18. During his final interview with Commission staff on August 28, 2015, Respondent was given another opportunity to provide comments or ask questions about staff's investigation, but he declined to respond. (See Phone log, entry # 8)

³ According to the website, www.bankrate.com, "When a debt or any asset is charged off, it is taken off a balance sheet. A debt that has been charged off is normally more than 180 days past due."

19. It appears that Respondent has committed a violation of Section 106.19(1)(c), Florida Statutes, when he falsely reported on his 2014 Termination Report that he made a \$125 campaign expenditure on August 20, 2014 for the purpose of "Loan made to campaign," when in fact, Respondent's campaign account was closed effective July 28, 2014, and showed a zero balance remaining in the account. Respondent did not have a campaign account to make a \$125 campaign expenditure on August 20, 2014.

20. "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).

21. The facts set forth above show that Respondent was a write-in candidate for Florida Governor during the 2014 election cycle. During his campaign, Respondent failed to timely make necessary amendments to his campaign's 2014 M4 and 2014 Termination Reports after receiving three written notices from the Division that the reports required an amendment. Moreover, Respondent falsely reported a campaign expenditure on his 2014 Termination Report that allegedly occurred almost thirty days after the campaign depository was closed.

Based upon these facts and circumstances, I recommend that the Commission find no probable cause to charge Respondent with violating Section 106.141(1), Florida Statutes. I further recommend the Commission find probable cause to charge Respondent with violating the following statutory provisions:

Count 1:

On or about March 2, 2015, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely make necessary amendments to the campaign's 2014 M4 report.

Count 2:

On or about March 2, 2015, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely make necessary amendments to the campaign's 2014 Termination Report.

Count 3:

On or about December 4, 2014, Respondent violated Section 106.19(1)(c), Florida Statutes, when he falsely reported a \$125 campaign expenditure on his 2014 Termination Report that occurred almost 30 days after the campaign depository was closed.

Respectfully submitted on October 13th, 2015.

Jaakan A. Williams

Jaakan A. Williams
Assistant General Counsel

I reviewed this Staff Recommendation this 12th day of October 2015.

Amy McKeever Toman

Amy McKeever Toman
Executive Director

FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 15-261

Respondent: Kyle C. Gibson

Complainant: Division of Elections

1. **Date and time:** 06/25/15 @ 8:32 a.m.
Name: Stephen Kay – Wells Fargo Bank
Phone #: 704-590-8539
Summary: Mr Kay, a representative with the Legal Order Processing Department of Wells Fargo Bank, called relative to the subpoena issued to the campaign depository for bank records. He said that he would need to have my e-mail address as they provide records via e-mail and that he is having trouble locating records under the name listed on the subpoena and asked for other identifying marks, such as social security number, date of birth or address. He asked that I return his call.
Memo to File? No
Entered by: KS
2. **Date and time:** 06/26/15 @ 9:15 a.m.
Name: Stephen Kay – Wells Fargo Bank
Phone #: 704-590-8539
Summary: I telephoned Mr. Kay to inform him that I had a date of birth and an address for Respondent as requested by him. Additionally, I provided him with my e-mail address in order for him to provide the records.
Memo to File? No
Entered by: KS
3. **Date and time:** 07/14/15 @ 3:53 p.m.
Name: Marsha – Wells Fargo Bank
Phone #: Called me
Summary: Marsha, a representative with the bank's legal order processing department, called in response to my fax earlier relative to a question concerning Respondent's campaign account. Within my fax, I had inquired as to whether the account, account # [REDACTED] closed in July 2014 as it appeared to show on the monthly bank statements. According to Marsha, the account did in fact close in July 2014.
Memo to File? No
Entered by: KS
4. **Date and time:** 08/04/15 @ 9:17 a.m.
Name: Respondent
Phone #: 850-322-8815
Summary: I tried calling Respondent to inquire as to the status of the affidavit that was due to our office yesterday. I explained the purpose of my telephone call in that I was calling regarding a referral from the Division to our office and a subsequent investigation relative to the referral concerning his 2014 campaign for office. I left a message on the voice-mail for "850-322-8815" asking that Respondent return my telephone call.

ATTACHMENT "A"

Page 1 of 3

Memo to File? No

Entered by: KS

5. **Date and time:** 08/04/15 @ 10:03 a.m.

Name: Respondent

Phone #: 850-322-8815

Summary: Respondent returned my telephone call from earlier. He left a message on my voice-mail stating that he is currently in Las Vegas attending a conference and although the conference ends on Friday, he will not be leaving until Saturday. He said that he is in possession of the affidavit and claims he has completed it, however, the notary was not at the bank when he went to have it notarized and he left for his trip on July 31st. He also said that when he returns home, on Monday, he will have it notarized and he will "overnight" the affidavit to me.

Memo to File? No

Entered by: KS

6. **Date and time:** 08/10/15 @ 10:27 a.m.

Name: Respondent

Phone #: Called me

Summary: Respondent called me to advise that he will be having the affidavit notarized today and that he will mail to my attention via overnight mail. I took an opportunity to explain the investigative process to him and that he would eventually receive a copy of the report-of-investigation and then, a copy of the staff recommendation. I also explained to him that prior to the mailing of the report-of-investigation being mailed out I would call him for the final interview. I inquired of him as to whether or not he actually printed and read Chapter 106, Florida Statutes and/or the Candidate and Campaign Treasurer Handbook, as per the acknowledgement letter mailed to him from the Division. He said that he did not print-out the publications because he was in the office of the Division of Elections and he was provided with the publications. He said he believed one copy to be the "election laws" and the other publication related to "campaign finances."

Memo to File? No

Entered by: KS

7. **Date and time:** 08/18/15 @ 1:58 p.m.

Name: Respondent

Phone #: 850-322-8815

Summary: I called Respondent to inquire as to the status of the affidavit that he claimed he had completed. In a message left on his voice-mail, I reminded him that we last spoke on August 10th and that he claimed that he was in the process of having the affidavit notarized and that he would "overnight" mail it to me. I informed him that its now August 18th and I have yet to receive the affidavit and that if he wants to have any input relative to the report of investigation, he would need to have the completed affidavit to me by the end of the week. I asked him to return my call at his earliest convenience.

Memo to File? No

Entered by: KS

8. **Date and time:** 08/28/15 @ 9:11 a.m.

Name: Respondent

Phone #: 850-322-8815

Summary: I called Respondent for the purpose of reviewing the case with him and to afford him an opportunity for questions or comments. Respondent had some comments but those comments related to another matter involving Respondent. He had nothing to add to this case.

Memo to File? No

Entered by: KS

9. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

10 **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 15-261

Respondent: Kyle Chaderwick Gibson

Complainant: Division of Elections

Pursuant to Section 106.25, Florida Statutes, on March 9, 2015, the Florida Elections Commission received information from the Division of Elections alleging that Respondent violated Chapter 106, Florida Statutes. The Division's referral was mandated pursuant to Section 106.07(8)(d), Florida Statutes. Commission staff, therefore, investigated whether Respondent violated the following statutes:

Section 106.07(2)(b)1, Florida Statutes, failure of the treasurer of a candidate to file an addendum to an incomplete report after receiving notice from the filing officer;

Section 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 report reflecting the disposition of all remaining funds; and

Section 106.19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent, Kyle Chaderwick Gibson, was a 2014 write-in candidate for the office of Governor. According to the Division of Elections (Division), Respondent filed to run on January 4, 2011 and he qualified on June 19, 2014.

2. On September 5, 2014, the Division mailed Respondent a letter notifying him that pursuant to Section 99.063(5), Florida Statutes, he forfeited ballot position for the 2014 general election. Respondent had failed to designate a Lieutenant Governor candidate by 5:00 p.m. on September 4, 2014. To review the letter from the Division to Respondent relative to removing his name from the ballot, refer to Exhibit 1.

3. On January 4, 2011, Respondent's "APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES" form (DS-DE 9) was filed with the Division. Respondent appointed himself to serve as

campaign treasurer¹. To review the DS-DE 9 form, refer to Exhibit 2.

4. Complainant is the Division of Elections

5. Respondent's filing officer is Kristi Reid-Bronson, Chief, Bureau of Election Records.

II. Alleged Violation of Section 106.07(2)(b)1, Florida Statutes:

6. I investigated whether Respondent violated this section of the election laws by not filing addendums to his 2014 M4 and 2014 TR reports, after receiving notice that the reports were incomplete

7. As per paragraph three, on January 4, 2011, Respondent appointed himself to serve as the campaign treasurer of his campaign

8. On January 4, 2011, Ms. Bronson sent Respondent a letter acknowledging his name had been placed on the 2014 active candidate list. The letter advised Respondent that all candidates filing reports with the Division are required to use the electronic filing system (EFS), and provided Respondent with his user identification number and initial password allowing him access to the EFS

9. The 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 a copy of the acknowledgement letter, refer to Exhibit 3.

10. On January 8, 2015, the Division sent Respondent a letter informing him that his 2014 M4 and 2014 TR reports were incomplete. An error report was included with the letter as an attachment as well as a document, "Sum of Contributions vs Expenditures." The letter was mailed to Respondent at the address provided on his DS-DE 9 form. To review the January 8, 2015 letter and the error report, refer to Exhibit 4.

11. On February 5, 2015, the Division sent Respondent a letter marked "Second Notice," the letter stated, "On January 8, 2015, you were advised that one or more of your campaign treasurer's reports were incomplete." An error report (part of the January 8, 2015 letter) was included with the letter as an attachment; the error report references the reports at issue. The letter was mailed to Respondent at the address provided on his DS-DE 9 form. To review the February 5, 2015 letter, refer to Exhibit 5

12. On February 18, 2015, the Division sent Respondent a letter marked "Final

¹ Respondent filed two additional DS-DE 9 forms after his initial filing on January 4, 2011. On September 25, 2013, Respondent filed a second DS-DE 9 form with the Division changing the campaign depository from Bank of America to Wells Fargo. On June 19, 2014, Respondent filed a third DS-DE 9 form with the Division noting minor changes from the form filed on June 19, 2014. In each of the DS-DE 9 forms on file, Respondent appointed himself as campaign treasurer

Notice" informing him that his 2014 M4 and 2014 TR reports were incomplete. An error report was included with the final notice as an attachment. The final notice was delivered to Respondent at the address provided on the DS-DE9 form. To review the Final Notice and a copy of the delivery confirmation, refer to Exhibit 6.

13. In an affidavit, Respondent was asked the reason for not filing addendums to the reports upon receiving notification from the Division. Respondent stated, "Failed to press update report." He also stated, "I have written the Elections Division to re-send my 2014 password. I disregarded it when report was done." To review Respondent's response to the questionnaire-affidavit, refer to Exhibit 7.

14. No record was found to indicate that Respondent has previously violated this section of the election laws.

III. Alleged Violation of Section 106.141(1), Florida Statutes:

15. I investigated whether Respondent violated this section of the election laws when he failed to dispose of surplus funds in his campaign account within 90 days of his removal from the 2014 general election ballot.

16. Based on a balance reflected in the error report provided to Respondent, Complainant alleged Respondent may have failed to dispose of surplus funds within 90 days.

17. As per paragraph two, Respondent was advised in a letter (Exhibit 1) that he forfeited ballot position for the 2014 general election. The letter further instructed Respondent, "You are required to file a 90 day termination report no later than December 3, 2014, documenting disposition of funds pursuant to Section 106 141, Florida Statutes "

18. In the notices sent to Respondent on January 8, February 5, and February 18, 2015, as referenced in paragraphs 10 through 12, Respondent was also provided with an error report. Each error report describes the issue with the termination report as, "Reflects balance after termination report filed."

19. As part of the notices sent to Respondent on January 8, February 5, and February 18, 2015, Respondent was also provided with a document titled, "Sum of Contributions vs Expenditures," relative to his 2014 campaign. The document reflects that after the filing of his termination report², Respondent's campaign discloses a surplus balance of \$1,343.14. To review the document "Sum of Contributions vs. Expenditures," refer to Exhibit 4, pages 5 and 6.

20. I subpoenaed Respondent's bank records from the designated campaign depository, Wells Fargo. According to bank records, it appears that the account was closed on July 28, 2014. The monthly bank statement covering June 27 – July 28, 2014, reflects a beginning balance on June 27, 2014 as -\$24.55. On July 28, 2014, a deposit/credit of \$24.55 was made to the account and the deposit/credit was described as "Fees Charged Off³". An ending

² Respondent's termination report was filed with the Division on December 4, 2014; the reporting period covered August 30 – December 3, 2014.

³ According to the website, www.bankrate.com, "When a debt or any asset is charged off, it is taken off a balance

balance on July 28, 2014 is shown as \$0.00. To review the monthly bank statement, refer to Exhibit 8.

21. In a telephone interview on July 14, 2015, Marsha, a representative of Wells Fargo Legal Order Processing Department, confirmed that the account did in fact close on July 28, 2014.

22. No record was found to indicate that Respondent has previously violated this section of the election laws

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

23. I investigated whether Respondent violated this section of the election laws by falsely reporting or deliberately failing to report information.

24. Based on surplus funds after the filing of the termination report as reflected in the error report provided to Respondent, Complainant alleged that Respondent may have failed to report information.

25. To review the circumstances relative to the campaign account, please refer to paragraph 20.

26. Because Respondent's campaign account closed as of July 28, 2014, it does not appear he had any activity to disclose in his termination report (08/30 – 12/03/14). However, it does appear that an expenditure in the amount of \$125, disclosed in his termination report, may be false as there are no bank records to substantiate the expenditure.

27. Furthermore, based on a review of Respondent's termination report and bank records relative to the termination report cover period, it appears that Respondent may have deliberately failed to report information in a campaign treasurer's report other than the termination report.

28. No record was found to indicate that Respondent has previously violated this section of the election laws

V. FEC History:

29. Respondent has been named as a respondent on three separate cases in the past, each involved automatic-fines.

Conclusion:

30. On August 28, 2015, I interviewed Respondent for the purpose of the final interview and to afford him an opportunity for comments or questions. Respondent had nothing to add to the case.

31. As per paragraph nine, Respondent was advised in a letter from the Division that

sheet. A debt that has been charged off is normally more than 180 days past due."

all of the Division's publications are available on their website and that it was his responsibility to read, understand and follow the requirements of Florida's election laws.

32. In an affidavit, Respondent attested that he does possess and has read Chapter 106, Florida Statutes as well as the *Candidate and Campaign Treasurer Handbook*. When asked what action had he taken to determine his responsibilities under Florida's election laws, he stated, "Continue to familiarize myself by re-reading the law." Respondent attested that in 1996 he was a candidate for the House of Representatives and in 2006 he ran for the Indian River School Board, but later withdrew. To review Respondent's response to the questionnaire-affidavit, refer to Exhibit 7.

33. Respondent executed a "Statement of Candidate" form indicating that he received, read and understand the requirements of Chapter 106, Florida Statutes; the form is dated as having been signed on January 4, 2011. To review the form, refer to Exhibit 9.

Respectfully submitted on August 28, 2015.



Keith Smith
Investigation Specialist

Current address of Respondent

Kyle Chaderwick Gibson
1418 NE 57th Court
Fort Lauderdale, Florida 33334-6118

Current address of Complainant

Division of Elections
500 South Bronough Street – Room 316
Tallahassee, Florida 32399-0250

Name and Address of Filing Officer:

Kristi Reid-Bronson, Chief
Bureau of Election Records
500 South Bronough Street – Room 316
Tallahassee, Florida 32399-0250

Copy furnished to: David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Kyle Chaderwick Gibson -- FEC 15-261

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	09/05/14 ltr from Division to R re: removal from ballot
Exhibit 2	DS-DE 9 form
Exhibit 3	Acknowledgement letter
Exhibit 4	01/08/15 ltr to Respondent/error report/Sum of Cont vs. Exp.
Exhibit 5	02/05/15 letter to Respondent
Exhibit 6	Final Notice/delivery confirmation
Exhibit 7	Respondent's Q/A
Exhibit 8	Bank statement (06/27 to 07/28/14)
Exhibit 9	Statement of Candidate



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 5, 2014

Kyle Chaderwick Gibson (54957)
Post Office Box 590581
Tamarac, FL 33359-0581

Dear Mr. Gibson:

Pursuant to Section 99.063(5), Florida Statutes, the failure of a Lieutenant Governor candidate to be designated and qualified by 5:00 p.m. on September 4, 2014, shall result in forfeiture of ballot position for the candidate for Governor for the general election. The Division of Elections did not receive your written designation of a Lieutenant Governor prior to this deadline. Accordingly, your name has been removed from the general election ballot.

You are required to file a 90 day termination report no later than December 3, 2014, documenting disposition of funds pursuant to Section 106.141, Florida Statutes.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/dsb

EXHIBIT 1

Division of Elections

R.A. Gray Bldg., Rm. 316 • 500 S Bronough St. • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6240 • Facsimile: (850) 245-6259 elections.myflorida.com

... 500 years of Florida history www.floridastate.com



HAND DELIVERED

RECEIVED
2011 JAN -4 AM 8:23
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

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

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

(PLEASE PRINT OR TYPE)

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

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

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

Kyle Chaderwick Gibson

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

471 E Van Buren Street
Tallahassee, Florida 32301

4. Telephone

(850) 322-8815

5 E-mail address

KC2020Vision@aol.com

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

Governor

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 _____ Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Kyle C. Gibson

11. Mailing Address

471E Van Buren Street

12. Telephone

()

13. City

Tallahassee

14 County

Leon

15 State

Fl

16 Zip Code

32301

17. E-mail address

KC2020Vision@aol.com

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

19. Name of Bank

Bank of America

20. Address

803 Lake Bradford Rd

21. City

Tallahassee

22. County

Leon

23. State

Florida

24 Zip Code

32301

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE

25 Date

January 4, 2011

26 Signature of Candidate

X *Kyle C. Gibson*

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

I, Kyle C. Gibson, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer

January 4, 2011

Date

EXHIBIT X

Kyle C. Gibson
Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

January 4, 2011

Mr. Kyle Chaderwick Gibson
471 East Van Buren Street
Tallahassee, Florida 32301

Dear Mr. Gibson:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of Governor, which was placed on file in our office on January 4, 2011. Your name has been placed on the 2014 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **April 11, 2011**. The report will cover the period of January 1 - March 31, 2011. All candidates who file reports with the Division of Elections are required to file by means of the Division's electronic filing system (EFS).

Credentials and Sign-ons

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

EFS Web site Address: <https://efs.dos.state.fl.us>
Identification Number: 54957

EXHIBIT

3 (of 3)
Division of Elections

Mr. Kyle Chaderwick Gibson
January 4, 2011
Page Two

Pin Numbers

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

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

Timely Filing

All reports filed must be completed and filed through the EFS not later than midnight 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.

Mr. Kyle Chaderwick Gibson
January 4, 2011
Page Three

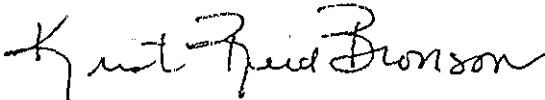
Instructions and Assistance

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' web site at <http://elections.myflorida.com>. 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, 2010 Candidate and Campaign Treasurer Handbook, 2011 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.*

Please let me know if you need additional information

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/tab

Enclosures



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

January 8, 2015

Kyle Chaderwick Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

Re: CAN 54957

Dear Mr. Gibson:

The Division of Elections has determined that the following report is incomplete for the reasons noted in the attached error report:

<u>Year</u>	<u>Type</u>	<u>Cover Period</u>
2014	M4	4/1/14 - 4/30/14
2014	TR	8/30/14 - 12/3/14

Pursuant to Section 106 07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristi Reid Bronson".

Kristi Reid Bronson
Chief, Bureau of Election Records

Attachment

EXHIBIT 4 (pg 1 of 6)

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 M4 (18) Covering Period: 4/1/14 - 4/30/14

Account: 54957

Contributions

Contributor				Contribution							
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
12					X		X	\$0.00			

- *The Transaction Date is Either Before Or After The Report Coverage Period
- *The Value Supplied For Contributor Type is Invalid
- *The Value Supplied For Contribution Type is Invalid
- *Amount is Zero
- *No Value Provided For Last Name Field
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

EXHIBIT

Expenditures

Seq	Date	Name	Address	City/State/Zip	Type	Expenditure Purpose	Amount	Amend			
16	04/16/14			LAKE CITY FL	PCS	COPIES	\$45.00				
		*No Value Provided For Last Name Field									
17	04/24/14				PCS	COPIES	\$30.00				
		*No Value Provided For Last Name Field									

Fund Transfers

Other Distributions

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 TR (31) Covering Period: 8/30/14 - 12/31/14

Account: 54957

Contributions

Contributor				Contribution							
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1					X		X	\$0.00			

- *The Transaction Date is Either Before Or After The Report Coverage Period
- *The Value Supplied For Contributor Type is Invalid
- *The Value Supplied For Contribution Type is Invalid
- *Amount is Zero
- *No Value Provided For Last Name Field
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

EXHIBIT 4

Expenditures

Seq	Date	Name	Address	City/State/Zip	Type	Expenditure Purpose	Amount	Amend
1	08/30/14	GIBSON KYLE	1418 NE 57TH COURT	FT LAUDERDALE FL 33334	DIS	LOAN MADE TO CAMPAIGN	\$125.00	

*The Transaction Date is Either Before Or After The Report Coverage Period

and Transfers

Other Distributions

Compliance Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 M4 (18) Covering Period: 4/1/14 - 4/30/14

Account: 54957

Ball

Contributions

Expenditures

Ball Transfers

Other Distributions

Report: 2014 TR (31) Covering Period: 8/30/14 - 12/3/14

Account: 54957

Ball

Statute FAC

Description

106 141

Reflects balance after termination report filed

EXHIBIT

Contributions

Expenditures

Ball Transfers

Other Distributions

(p. 4 of 6)

Sum of Contributions vs Expenditures

1/8/2015 8:56:03 AM

Kyle Chaderwick Gibson

54957

Date of last Contribution: 6/1/14

0 After

Year	Report	Contributions	Expenditures	Running Total
2011	Q1	\$2,560.98	\$2,785.71	(\$224.73)
	Q2	\$6,800.70	\$6,539.53	\$36.44
	Q3	\$5,055.14	\$5,233.78	(\$142.20)
	Q4	\$2,555.28	\$2,655.40	(\$242.32)
2012	Q1	\$1,060.14	\$1,058.02	(\$240.20)
	Q2	\$810.28	\$574.65	(\$457)
	Q3	\$1,470.00	\$642.14	\$823.29
	Q4	\$0.00	\$35.00	\$788.29
2013	Q1	\$625.00	\$404.00	\$1,009.29
	Q2	\$300.00	\$400.00	\$909.29
	Q3	\$400.00	\$0.00	\$1,309.29
	M10	\$1,076.00	\$1,036.71	\$1,348.58
	M11	\$20.14	\$4.35	\$1,364.37
	M12	\$0.00	\$0.00	\$1,364.37
2014	M1	\$0.00	\$0.00	\$1,364.37
	M2	\$305.00	\$303.49	\$1,365.88
	M3	\$125.00	\$16.96	\$1,473.92
	M4	\$711.12	\$652.76	\$1,532.28
	M5	\$280.56	\$329.84	\$1,483.00
	P1	\$20.14	\$35.00	\$1,468.14
	P1A	\$0.00	\$0.00	\$1,468.14
	P2	\$0.00	\$0.00	\$1,468.14
	P2A	\$0.00	\$0.00	\$1,468.14
	P3	\$0.00	\$0.00	\$1,468.14
	P4	\$0.00	\$0.00	\$1,468.14
	P5	\$0.00	\$0.00	\$1,468.14
	P6	\$0.00	\$0.00	\$1,468.14
	P7	\$0.00	\$0.00	\$1,468.14
P7A	\$0.00	\$0.00	\$1,468.14	

EXHIBIT 4 (pg 5 of 6)

Sum of Contributions vs Expenditures

1/8/2015 8:56:03 AM

Kyle Chaderwick Gibson

54957

Date of last Contribution: 6/1/14

0 After

Year	Report	Contributions	Expenditures	Running Total
2014	G1	\$0 00	\$0 00	\$1,468 14
	TR	\$0.00	\$125 00	\$1,343 14
Campaign Total:		\$24,175 48	\$22 832 34	

EXHIBIT 4 (pg 6 of 6)



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

February 5, 2015

Kyle Chaderwick Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

Re: CAN 54957

Dear Mr. Gibson:

On January 8, 2015, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

Attachment

EXHIBIT

5



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING #
& CUSTOMER
RECEIPT

9114 9011 5981 8975 1038 75

For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811

February 18, 2015

Kyle Chaderwick Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

Re: CAN 54957

Dear Mr. Gibson:

You have previously been advised that the campaign treasurer's report(s) listed below is incomplete for the reasons noted in the attached error report:

<i>Year</i>	<i>Type</i>	<i>Cover Period</i>
2014	M4	4/1/14 - 4/30/14
2014	TR	8/30/14 - 12/3/14

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the information has been reported accurately, you must provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that if you fail to comply with this request, the Division will forward this matter to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson
Chief, Bureau of Election Records

Attachment

EXHIBIT 6 (pg 1 of 2)

English

Customer Service

USPS Mobile

Register / Sign In



USPS Tracking™



Customer Service >
Have questions? We're here to help.

Tracking Number: 9114901159818975103875

Updated Delivery Day: Sunday, February 22, 2015

Product & Tracking Information

Available Actions

Postal Product:

Features:
USPS Tracking™

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
February 26, 2015 11:03 am	Delivered	FORT LAUDERDALE, FL 33319

Your item was delivered at 11:03 am on February 26, 2015 in FORT LAUDERDALE, FL 33319

February 25, 2015 6:56 pm	Arrived at USPS Facility	OPA LOCKA, FL 33054
February 24, 2015 12:46 pm	Arrived at USPS Facility	FORT LAUDERDALE, FL 33313
February 21, 2015 9:26 am	Out for Delivery	FORT LAUDERDALE, FL 33313
February 21, 2015 9:16 am	Sorting Complete	FORT LAUDERDALE, FL 33313
February 21, 2015 9:09 am	Arrived at Post Office	FORT LAUDERDALE, FL 33313
February 21, 2015 12:46 am	Departed USPS Facility	OPA LOCKA, FL 33054
February 20, 2015 5:43 pm	Arrived at USPS Facility	OPA LOCKA, FL 33054
February 19, 2015 9:57 pm	Departed USPS Facility	TALLAHASSEE, FL 32301
February 19, 2015 3:52 pm	Arrived at USPS Facility	TALLAHASSEE, FL 32301

Track Another Package

Tracking (or receipt) number

Track It

EXHIBIT

6 (pg 2 of 2)

AFFIDAVIT OF BACKGROUND INFORMATION

Case Number: FEC 15-261

RECEIVED

STATE OF FLORIDA

County of Broward

2015 AUG 21 A 10:32

Kyle C. Gibson, being duly sworn, says:

STATE OF FLORIDA
AFFIDAVIT OF BACKGROUND INFORMATION

1. This affidavit is made upon my personal knowledge.

2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by Not Employed as _____

3. Prior to your 2014 campaign for Governor, had you ever run for public office? If so, please name the office(s) you ran for and the date(s) of the election(s) you ran in.

Florida House of Rep #93 1996
Indian River School Board 2006 withdrawn

4. Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name the candidate(s) you served as treasurer, the office(s) the candidate ran for, and the dates of the election(s).

Yes, for myself Governor, Florida House, Indian River School Board

5. Have you ever held the office of chairperson or treasurer for a political committee? If so, please list the names and addresses of the committees and dates when you held the position

NO

6. Have you ever prepared or signed a campaign treasurer's report? If so, please list the name of the candidate or committee whose report you prepared or signed.

Yes for myself in campaign I've run for

EXHIBIT 7 (09143)

7. What action have you taken to determine your responsibilities under Florida's election laws?

Continues to familiarize myself by re-reading the laws

8. Do you possess a copy of Chapter 106, Florida Statutes? Yes No

9. If so, when did you first obtain it? when I 1st filed

10. Have you read Chapter 106, Florida Statutes? Yes No

11. Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*? Yes No

12. If so, when did you first obtain it? when I first filed

13. Have you read the *Candidate and Campaign Treasurer Handbook*? Yes No

14. Please explain, in detail, the reason(s) you did not amend your 2014 M4 and 2014 IR campaign reports upon being notified by the Division of Elections that campaign reports were incomplete

Failed to Press update report. ~~but~~ I saw this when 2018 report had to be amended to add an address I have written the Elections Division to re-send my 2014 pass word I disregarded it when report was done.

15. According to the referral to our office from the Division of Elections, a review of your campaign reports reflect a balance in violation of Section 106.141, Florida Statutes. According to the Division, after the filing of your termination report (IR), a balance of \$1,343.14 exists between contributions received and expenditures made. Please explain the reason why your campaign reports still reflect a balance after the filing of your termination report.

I'm checking this I believe this to be an error because there was no money left

EXHIBIT 7 (pg 2 of 3)

16. According to your termination report, an expenditure was made to you in the amount of \$125.00 on 08/20/14 for the reported purpose of "Loan made to campaign." However, according to your campaign bank records, there is no record of this expenditure and the bank records indicate your campaign account was closed on July 28, 2014. In the space provided below, please explain this discrepancy.

Need to get ltr account to see full report when pass word is re sent from DOE, I will make the needed changes to view the record

I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Phyllis L. Wilson
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 19th day of AUGUST, 2015

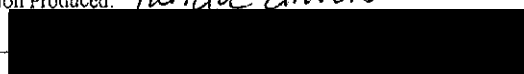


Samantha Duke
State of Florida
MY COMMISSION # FF 173714
Expires: November 3, 2018

Samantha Duke
Signature of Notary Public - State of Florida
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ or Produced Identification X

Type of Identification Produced: Florida drivers license



Case Investigator KS

EXHIBIT 7 (pg 3 of 3)

Wells Fargo Simple Business Checking

Account number [REDACTED] ■ June 27, 2014 - July 28, 2014 ■ Page 1 of 3



KYLE C GIBSON
 DBA KYLE C GIBSON CAMPAIGN FUND
 1418 NE 57TH CT
 FORT LAUDERDALE FL 33334-6118

Questions?

Available by phone 24 hours a day, 7 days a week:

1-800-CALL-WELLS (1-800-225-5935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: wells Fargo combiz

Write: Wells Fargo Bank N.A. (287)

P.O. Box 6995

Portland, OR 97228-6995

Your Business and Wells Fargo

Wells Fargo Works for Small Business website

The Wells Fargo Works site offers free access to business information and advice through videos, articles, and other small business resources. This site offers objective information from industry experts, best practices from real business owners, as well as numerous Wells Fargo solutions that can help you run your business. Learn more about Wells Fargo Works at wellsfgoworks.com

Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com/biz or call the number above if you have questions or if you would like to add new services.

- Business Online Banking
- Online Statements
- Business Bill Pay
- Business Spending Report
- Overdraft Protection

Activity summary

Beginning balance on 6/27	-\$24.55
Deposits/Credits	24.55
Withdrawals/Debits	- 0.00
Closing balance on 7/28	\$0.00
Average ledger balance this period	-\$23.78

Account number [REDACTED]
KYLE C GIBSON
DBA KYLE C GIBSON CAMPAIGN FUND
Florida account terms and conditions apply
 For Direct Deposit use
 Routing Number (RTN): 063107513
 For Wire Transfers use
 Routing Number (RTN): 121000248

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

EXHIBIT 8 (pg. 1 of 2)

Account number: [REDACTED] ■ June 27, 2014 - July 28, 2014 ■ Page 2 of 3



Transaction history

Date	Check Number	Description	Deposits/ Credits	Withdrawals/ Debits	Ending daily balance
7/28		Fees Charged Off	24.55		0.00
Ending balance on 7/28					0.00
Totals			\$24.55	\$0.00	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Did you know that you can review your safe deposit box information through Wells Fargo Business Online Banking? Sign on to business online banking at wellsfargo.com/biz and go to your account summary page to review details

EXHIBIT 8 (pg 2 of 2)

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please Type)

OFFICE USE ONLY

2011 JAN -4 AM 8:24

FLORIDA STATE
DIVISION OF ELECTIONS

I, Kyle "K.C." Gibson,
candidate for the office of Governor ;

have received, read and understand the requirements of Chapter 106,
Florida Statutes.

X *Kyle C. Gibson*
Signature of Candidate

January 4, 2011

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).

EXHIBIT 9



FLORIDA ELECTIONS COMMISSION

The Collins Building
107 West Gaines Street, Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539

June 3, 2015

Kyle C. Gibson
P.O. Box 590581
Tamarac, Florida 33359

RE: Case No.: FEC 15-261

Dear Mr. Gibson:

The purpose of this correspondence is to advise that our last correspondence to you, a letter dated May 29, 2015 (copy enclosed), stated that you could contact Tracie Aulet, as the investigator assigned to the case

Please note that the above-referenced case has now been assigned to me for investigation. Therefore, please direct any and all correspondence to my attention.

Thank you for your cooperation in this matter. Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Keith Smith".

Keith Smith
Investigator

Enclosure: Letter of May 29, 2015



FLORIDA ELECTIONS COMMISSION

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

May 29, 2015

Kyle Chaderwick Gibson
P O Box 590581
Tamarac, FL 33359

RE: Case No.: FEC 15-261; Respondent: Kyle Chaderwick Gibson

Dear Mr. Gibson:

On March 9, 2015, 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(2)(b)1., Florida Statutes: Respondent, a 2014 candidate for Florida Governor, acting as his own treasurer, failed to timely make necessary amendments to the campaign's 2014 M4 and TR campaign treasurer reports, as alleged in the complaint.

Section 106.141(1), Florida Statutes: Respondent, a 2014 candidate for Florida Governor, acting as his own treasurer, failed to dispose of surplus campaign funds within 90 days of his removal from the 2014 general election ballot, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes: Respondent, a 2014 candidate for Florida Governor, acting as his own treasurer falsely reported or deliberately failed to include information required by Chapter 106, as alleged in the complaint.

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

When we conclude the investigation, a copy of the Report of Investigation will be mailed to you at the above address. You may file a response to the report within 14 days from the date the report is mailed to you. Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have

violated Chapter 104 or 106, Florida Statutes. A copy of the Staff Recommendation will be mailed to you and you may file a response within 14 days from the date the recommendation is mailed to you. Your timely filed response(s) will be considered by the Commission when determining probable cause.

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.


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

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

Under section 106 25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

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

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

**DIVISION OF ELECTIONS
FEC REFERRAL FORM**

To FEC from Division of Elections

RECEIVED

2015 MAR -9 P 3:17

FLORIDA ELECTIONS COMMISSION

Name: Kyle Chaderwick Gibson
Account Number: 54957
Candidate: Kyle Chaderwick Gibson
Treasurer: Kyle Chaderwick Gibson
Person Named/Notified: Kyle Chaderwick Gibson

The Division of Elections is referring this issue to the Florida Elections Commission pursuant to Section 106.25, Florida Statutes for the following reasons:

1. Addendums have not been filed pursuant to Section 106.07(2)(b)1., Florida Statutes, for the following report(s):

2014 M4

2014 TR
2. A review of Mr. Gibson's campaign treasurer's reports reflect a balance in violation of Section 106.141 or 106.19(1)(c), Florida Statutes, or both.

Sent By: Kristi Reid Bronson *KRB*
Date: March 6, 2015

ejr

AFFIDAVIT

STATE OF FLORIDA

County of Leon

Kristi Reid Bronson, being duly sworn, says:

1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division) In that capacity, I oversee the Division's duties related to the filing of campaign finance reports
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. Kyle Chaderwick Gibson (54957) was a 2014 candidate for the office of Governor.
5. On January 4, 2011, Mr. Gibson filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. He appointed himself as treasurer. (See attached documents and acknowledgment letter)
6. On September 5, 2014, the Division mailed Mr. Gibson notification that he failed to designate a Lieutenant Governor candidate to qualify by 5:00pm on September 4, 2014 Pursuant to Section 99.063(5), Mr. Gibson's name was removed from the general election ballot (See attached letter.)
7. On January 8, 2015, the Division mailed Mr. Gibson notification that the 2014 M4 and 2014 TR reports were incomplete. (See attached letter)
8. On February 5, 2015, the Division mailed Mr. Gibson notification that the 2014 M4 and 2014 TR reports were incomplete (See attached letter)
9. On February 18, 2015, the Division mailed Mr. Gibson final notification with delivery confirmation that the 2014 M4 and 2014 TR reports were incomplete. (See attached letter.)

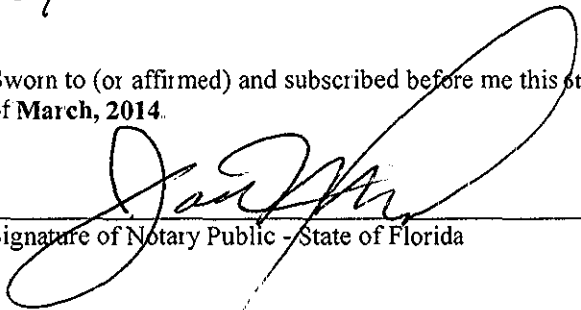
10. As of March 6, 2015, the 2014 M4 and 2014 TR campaign finance reports remain incomplete.

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



Signature of Affiant

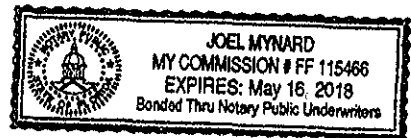
Sworn to (or affirmed) and subscribed before me this 6th day of March, 2014.



Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known



HAND DELIVERED

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

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

(PLEASE PRINT OR TYPE)

RECEIVED
2011 JAN -4 AM 8:23

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)

Kyle Chaderwick Gibson

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

471 E Van Buren Street
Tallahassee, Florida 32301

4. Telephone

(850) 322-8815

5. E-mail address

KC2020Vision@aol.com

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

Governor

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 _____ Party candidate

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

10. Name of Treasurer or Deputy Treasurer

Kyle C. Gibson

11. Mailing Address

471E Van Buren Street

12. Telephone

()

13. City

Tallahassee

14. County

Leon

15. State

FL

16. Zip Code

32301

17. E-mail address

KC2020Vision@aol.com

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

19. Name of Bank

Bank of America

20. Address

803 Lake Bradford Rd

21. City

Tallahassee

22. County

Leon

23. State

Florida

24. Zip Code

32301

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

January 4, 2011

26. Signature of Candidate

Kyle C. Gibson

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

I, Kyle C. Gibson, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer

January 4, 2011

Date

Kyle C. Gibson

Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please Type)

OFFICE USE ONLY

2011 JAN -4 AM 8:24

FLORIDA STATE
DIVISION OF ELECTIONS

I, Kyle "K.C." Gibson,
candidate for the office of Governor;

have received, read and understand the requirements of Chapter 106,
Florida Statutes.

X *Kyle C. Gibson*
Signature of Candidate

January 4, 2011

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

January 4, 2011

Mr. Kyle Chaderwick Gibson
471 East Van Buren Street
Tallahassee, Florida 32301

Dear Mr. Gibson:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of Governor, which was placed on file in our office on January 4, 2011. Your name has been placed on the 2014 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **April 11, 2011**. The report will cover the period of January 1 - March 31, 2011. All candidates who file reports with the Division of Elections are required to file by means of the Division's electronic filing system (EFS).

Credentials and Sign-ons

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

EFS Web site Address: <https://efs.dos.state.fl.us>
Identification Number: 54957

Mr. Kyle Chaderwick Gibson
January 4, 2011
Page Two

Pin Numbers

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

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

Timely Filing

All reports filed must be completed and filed through the EFS not later than midnight 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.

Mr. Kyle Chaderwick Gibson
January 4, 2011
Page Three

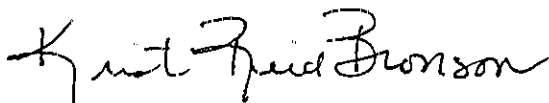
Instructions and Assistance

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' web site at <http://elections.myflorida.com>. 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, 2010 Candidate and Campaign Treasurer Handbook, 2011 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.*

Please let me know if you need additional information

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/tab

Enclosures



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 5, 2014

Kyle Chaderwick Gibson (54957)
Post Office Box 590581
Tamarac, FL 33359-0581

Dear Mr. Gibson:

Pursuant to Section 99.063(5), Florida Statutes, the failure of a Lieutenant Governor candidate to be designated and qualified by 5:00 p.m. on September 4, 2014, shall result in forfeiture of ballot position for the candidate for Governor for the general election. The Division of Elections did not receive your written designation of a Lieutenant Governor prior to this deadline. Accordingly, your name has been removed from the general election ballot.

You are required to file a 90 day termination report no later than December 3, 2014, documenting disposition of funds pursuant to Section 106.141, Florida Statutes.

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

Sincerely,

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

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/dsb





FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

January 8, 2015

Kyle Chaderwick Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

Re: CAN 54957

Dear Mr. Gibson:

The Division of Elections has determined that the following report is incomplete for the reasons noted in the attached error report:

<i>Year</i>	<i>Type</i>	<i>Cover Period</i>
2014	M4	4/1/14 - 4/30/14
2014	TR	8/30/14 - 12/3/14

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson
Chief, Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 M4 (18) Covering Period: 4/1/14 - 4/30/14

Account: 54957

Contributions

Contributor			Contribution								
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
12					X		X	\$0.00			

- *The Transaction Date Is Either Before Or After The Report Coverage Period
- *The Value Supplied For Contributor Type Is Invalid
- *The Value Supplied For Contribution Type Is Invalid
- *Amount is Zero
- *No Value Provided For Last Name Field
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

Expenditures

Seq	Date	Name	Address	City/State/Zip	Type	Expenditure Purpose	Amount	Amend			
16	04/16/14			LAKE CITY FL	PCS	COPIES	\$45.00				
		*No Value Provided For Last Name Field									
17	04/24/14				PCS	COPIES	\$30.00				
		*No Value Provided For Last Name Field									

Fund Transfers

Other Distributions

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 TR (31) Covering Period: 8/30/14 - 12/3/14

Account: 54957

Contributions

Contributor				Contribution							
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1					X		X	\$0.00			

- *The Transaction Date is Either Before Or After The Report Coverage Period
- *The Value Supplied For Contributor Type Is Invalid
- *The Value Supplied For Contribution Type Is Invalid
- *Amount is Zero
- *No Value Provided For Last Name Field
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

Expenditures

Seq	Date	Name	Address	City/State/Zip	Type	Expenditure Purpose	Amount	Amend
1	08/20/14	GIBSON KYLE	1418 NE 57TH COURT	FT LAUDERDALE, FL 3-3334	DIS	LOAN MADE TO CAMPAIGN	\$125.00	

- *The Transaction Date is Either Before Or After The Report Coverage Period

Fund Transfers

Other Distributions

Florida Department of State - Division of Elections
Compliance Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 M4 (18) Covering Period: 4/1/14 - 4/30/14

Account: 54957

verall

ontributions

xpenditures

und Transfers

ther Distributions

Report: 2014 TR (31) Covering Period: 8/30/14 - 12/3/14

Account: 54957

verall

<u>Statute</u>	<u>FAC</u>	<u>Description</u>
106 141		Reflects balance after termination report filed

ontributions

xpenditures

und Transfers

ther Distributions

Sum of Contributions vs Expenditures

1/8/2015 8:56:03 AM

Kyle Chaderwick Gibson

54957

Date of last Contribution: 6/1/14

0 After

Year	Report	Contributions	Expenditures	Running Total
2011	Q1	\$2,560.98	\$2,785.71	(\$224.73)
	Q2	\$6,800.70	\$6,539.53	\$36.44
	Q3	\$5,055.14	\$5,233.78	(\$142.20)
	Q4	\$2,555.28	\$2,655.40	(\$242.32)
2012	Q1	\$1,060.14	\$1,058.02	(\$240.20)
	Q2	\$810.28	\$574.65	(\$4.57)
	Q3	\$1,470.00	\$642.14	\$823.29
	Q4	\$0.00	\$35.00	\$788.29
2013	Q1	\$625.00	\$404.00	\$1,009.29
	Q2	\$300.00	\$400.00	\$909.29
	Q3	\$400.00	\$0.00	\$1,309.29
	M10	\$1,076.00	\$1,036.71	\$1,348.58
	M11	\$20.14	\$4.35	\$1,364.37
	M12	\$0.00	\$0.00	\$1,364.37
2014	M1	\$0.00	\$0.00	\$1,364.37
	M2	\$305.00	\$303.49	\$1,365.88
	M3	\$125.00	\$16.96	\$1,473.92
	M4	\$711.12	\$652.76	\$1,532.28
	M5	\$280.56	\$329.84	\$1,483.00
	P1	\$20.14	\$35.00	\$1,468.14
	P1A	\$0.00	\$0.00	\$1,468.14
	P2	\$0.00	\$0.00	\$1,468.14
	P2A	\$0.00	\$0.00	\$1,468.14
	P3	\$0.00	\$0.00	\$1,468.14
	P4	\$0.00	\$0.00	\$1,468.14
	P5	\$0.00	\$0.00	\$1,468.14
	P6	\$0.00	\$0.00	\$1,468.14
	P7	\$0.00	\$0.00	\$1,468.14
P7A	\$0.00	\$0.00	\$1,468.14	

Sum of Contributions vs Expenditures

1/8/2015 8:56:03 AM

Kyle Chaderwick Gibson

54957

Date of last Contribution: 6/1/14

0 After

Year	Report	Contributions	Expenditures	Running Total
2014	G1	\$0 00	\$0 00	\$1,468 14
	TR	\$0 00	\$125 00	\$1,343 14
	Campaign Total:	\$24,175 48	\$22 832 34	



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

February 5, 2015

Kyle Chaderwick Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

Re: CAN 54957

Dear Mr. Gibson:

On January 8, 2015, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 M4 (18) Covering Period: 4/1/14 - 4/30/14

Account: 54957

Contributions

Contributor

Contribution

Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
12					X		X	\$0.00			

- *The Transaction Date Is Either Before Or After The Report Coverage Period
- *The Value Supplied For Contributor Type Is Invalid
- *The Value Supplied For Contribution Type Is Invalid
- *Amount Is Zero
- *No Value Provided For Last Name Field
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

Expenditures

Seq	Date	Name	Address	City/State/Zip	Type	Expenditure Purpose	Amount	Amend
16	04/16/14			LAKE CITY, FL	PCS	COPIES	\$45.00	

*No Value Provided For Last Name Field

17	04/24/14				PCS	COPIES	\$30.00	
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*No Value Provided For Last Name Field

Revolving Funds and Transfers

Other Distributions

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 TR (31) Covering Period: 8/30/14 - 12/3/14

Account: 54957

Contributions

<u>Contributor</u>			<u>Contribution</u>								
<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Occupation</u>	<u>Type</u>	<u>Amount</u>	<u>InKind</u>	<u>Descrip</u>	<u>Amend</u>
1					X		X	\$0.00			

*The Transaction Date Is Either Before Or After The Report Coverage Period

*The Value Supplied For Contributor Type is Invalid

*The Value Supplied For Contribution Type Is Invalid

*Amount Is Zero

*No Value Provided For Last Name Field

*No Address Was Provided

*No City Was Provided In The Address

*No State Was Provided In The Address

Expenditures

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
1	08/20/14	GIBSON KYLE	1418 NE 57TH COURT	FT LAUDERDALE, FL 3-3334	DIS	LOAN MADE TO CAMPAIGN	\$125.00	

*The Transaction Date Is Either Before Or After The Report Coverage Period

Other Transfers

Other Distributions

Compliance Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 M4 (18) Covering Period: 4/1/14 - 4/30/14

Account: 54957

total

Contributions

Expenditures

and Transfers

Other Distributions

Report: 2014 TR (31) Covering Period: 8/30/14 - 12/3/14

Account: 54957

total

<u>Statute</u>	<u>FAC</u>	<u>Description</u>
106.141		Reflects balance after termination report filed

Contributions

Expenditures

and Transfers

Other Distributions

Sum of Contributions vs Expenditures

2/5/2015 9:26:33 AM

Kyle Chaderwick Gibson

54957

Date of last Contribution: 6/1/14

0 After

Year	Report	Contributions	Expenditures	Running Total
2011	Q1	\$2,560.98	\$2,785.71	(\$224.73)
	Q2	\$6,800.70	\$6,539.53	\$36.44
	Q3	\$5,055.14	\$5,233.78	(\$142.20)
	Q4	\$2,555.28	\$2,655.40	(\$242.32)
2012	Q1	\$1,060.14	\$1,058.02	(\$240.20)
	Q2	\$810.28	\$574.65	(\$4.57)
	Q3	\$1,470.00	\$642.14	\$823.29
	Q4	\$0.00	\$35.00	\$788.29
2013	Q1	\$625.00	\$404.00	\$1,009.29
	Q2	\$300.00	\$400.00	\$909.29
	Q3	\$400.00	\$0.00	\$1,309.29
	M10	\$1,076.00	\$1,036.71	\$1,348.58
	M11	\$20.14	\$4.35	\$1,364.37
	M12	\$0.00	\$0.00	\$1,364.37
2014	M1	\$0.00	\$0.00	\$1,364.37
	M2	\$305.00	\$303.49	\$1,365.88
	M3	\$125.00	\$16.96	\$1,473.92
	M4	\$711.12	\$652.76	\$1,532.28
	M5	\$280.56	\$329.84	\$1,483.00
	P1	\$20.14	\$35.00	\$1,468.14
	P1A	\$0.00	\$0.00	\$1,468.14
	P2	\$0.00	\$0.00	\$1,468.14
	P2A	\$0.00	\$0.00	\$1,468.14
	P3	\$0.00	\$0.00	\$1,468.14
	P4	\$0.00	\$0.00	\$1,468.14
	P5	\$0.00	\$0.00	\$1,468.14
	P6	\$0.00	\$0.00	\$1,468.14
	P7	\$0.00	\$0.00	\$1,468.14
	P7A	\$0.00	\$0.00	\$1,468.14

Sum of Contributions vs Expenditures

2/5/2015 9:26:33 AM

Kyle Chaderwick Gibson

54957

Date of last Contribution: 6/1/14

0 After

Year	Report	Contributions	Expenditures	Running Total
2014	G1	\$0.00	\$0.00	\$1,468.14
	TR	\$0 00	\$125 00	\$1,343.14
Campaign Total:		\$24,175.48	\$22,832 34	



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING # & CUSTOMER RECEIPT **9114 9011 5981 8975 1038 75**
For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811

February 18, 2015

Kyle Chaderwick Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

Re: CAN 54957

Dear Mr. Gibson:

You have previously been advised that the campaign treasurer's report(s) listed below is incomplete for the reasons noted in the attached error report:

<u>Year</u>	<u>Type</u>	<u>Cover Period</u>
2014	M4	4/1/14 - 4/30/14
2014	TR	8/30/14 - 12/3/14

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the information has been reported accurately, you must provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that if you fail to comply with this request, the Division will forward this matter to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson
Chief, Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 M4 (18) Covering Period: 4/1/14 - 4/30/14

Account: 54957

Contributions

<u>Contributor</u>			<u>Contribution</u>								
<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Occupation</u>	<u>Type</u>	<u>Amount</u>	<u>InKind</u>	<u>Descrip</u>	<u>Amend</u>
12					X		X	\$0.00			

- *The Transaction Date Is Either Before Or After The Report Coverage Period
- *The Value Supplied For Contributor Type Is Invalid
- *The Value Supplied For Contribution Type Is Invalid
- *Amount is Zero
- *No Value Provided For Last Name Field
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

Expenditures

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
16	04/16/14			LAKE CITY, FL	PCS	COPIES	\$45.00	
17	04/24/14				PCS	COPIES	\$30.00	

*No Value Provided For Last Name Field

*No Value Provided For Last Name Field

and Transfers

Other Distributions

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 TR (31) Covering Period: 8/30/14 - 12/3/14

Account: 54957

Contributions

Contributor				Contribution							
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
i					X		X	\$0.00			

- *The Transaction Date Is Either Before Or After The Report Coverage Period
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Expenditures

Seq	Date	Name	Address	City/State/Zip	Type	Expenditure Purpose	Amount	Amend
1	08/20/14	GIBSON KYLE	1418 NE 57TH COURT	FT LAUDERDALE, FL 3-3334	DIS	LOAN MADE TO CAMPAIGN	\$125.00	

- *The Transaction Date Is Either Before Or After The Report Coverage Period

Out Transfers

Other Distributions

Compliance Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2014 M4 (18) Covering Period: 4/1/14 - 4/30/14

Account: 54957

total

Contributions

Expenditures

and Transfers

for Distributions

Report: 2014 TR (31) Covering Period: 8/30/14 - 12/3/14

Account: 54957

total

<u>Statute</u>	<u>FAC</u>	<u>Description</u>
106.141		Reflects balance after termination report filed

Contributions

Expenditures

and Transfers

for Distributions

Sum of Contributions vs Expenditures

2/18/2015 12:36:07 PM

Kyle Chaderwick Gibson

54957

Date of last Contribution: 6/1/14

0 After

Year	Report	Contributions	Expenditures	Running Total
2011	Q1	\$2,560.98	\$2,785.71	(\$224.73)
	Q2	\$6,800.70	\$6,539.53	\$36.44
	Q3	\$5,055.14	\$5,233.78	(\$142.20)
	Q4	\$2,555.28	\$2,655.40	(\$242.32)
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	Q2	\$300.00	\$400.00	\$909.29
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	M10	\$1,076.00	\$1,036.71	\$1,348.58
	M11	\$20.14	\$4.35	\$1,364.37
	M12	\$0.00	\$0.00	\$1,364.37
2014	M1	\$0.00	\$0.00	\$1,364.37
	M2	\$305.00	\$303.49	\$1,365.88
	M3	\$125.00	\$16.96	\$1,473.92
	M4	\$711.12	\$652.76	\$1,532.28
	M5	\$280.56	\$329.84	\$1,483.00
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	P1A	\$0.00	\$0.00	\$1,468.14
	P2	\$0.00	\$0.00	\$1,468.14
	P2A	\$0.00	\$0.00	\$1,468.14
	P3	\$0.00	\$0.00	\$1,468.14
	P4	\$0.00	\$0.00	\$1,468.14
	P5	\$0.00	\$0.00	\$1,468.14
	P6	\$0.00	\$0.00	\$1,468.14
	P7	\$0.00	\$0.00	\$1,468.14
	P7A	\$0.00	\$0.00	\$1,468.14

Sum of Contributions vs Expenditures

2/18/2015 12:36:07 PM

Kyle Chaderwick Gibson**54957****Date of last Contribution: 6/1/14****0 After**

Year	Report	Contributions	Expenditures	Running Total
2014	G1	\$0.00	\$0.00	\$1,468.14
	TR	\$0.00	\$125.00	\$1,343.14
Campaign Total:		\$24,175 48	\$22,832 34	

English

Customer Service

USPS Mobile

Register / Sign In



USPS Tracking™



Customer Service ›
Have questions? We're here to help

Tracking Number: 9114901159818975103875

Updated Delivery Day: Sunday, February 22, 2015

Product & Tracking Information

Postal Product:

Features:
USPS Tracking™

DATE & TIME	STATUS OF ITEM	LOCATION
February 26, 2015, 11:03 am	Delivered	FORT LAUDERDALE, FL 33319

Your item was delivered at 11:03 am on February 26, 2015 in FORT LAUDERDALE, FL 33319

February 25, 2015, 6:56 pm	Arrived at USPS Facility	OPA LOCKA, FL 33054
February 24, 2015, 12:46 pm	Arrived at USPS Facility	FORT LAUDERDALE, FL 33313
February 21, 2015, 9:26 am	Out for Delivery	FORT LAUDERDALE, FL 33313
February 21, 2015, 9:16 am	Sorting Complete	FORT LAUDERDALE, FL 33313
February 21, 2015, 9:09 am	Arrived at Post Office	FORT LAUDERDALE, FL 33313
February 21, 2015, 12:46 am	Departed USPS Facility	OPA LOCKA, FL 33054
February 20, 2015, 5:43 pm	Arrived at USPS Facility	OPA LOCKA, FL 33054
February 19, 2015, 9:57 pm	Departed USPS Facility	TALLAHASSEE, FL 32301
February 19, 2015, 3:52 pm	Arrived at USPS Facility	TALLAHASSEE, FL 32301

Available Actions

Text Updates

Email Updates

Track Another Package

Tracking (or receipt) number

Track It

HISTORY NOTES
Kyle Chaderwick Gibson - 54957

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
34364	9/26/2013 12:11:00 PM		mcchellman
<p>Called C/T regarding incomplete DS-DE 6 attempting to change his campaign depository. Advised that he would need to refile, checking only the Depository Box up top, the Primary Depository Box in 18, and signing both as Candidate and as Treasurer. He understood and stated he would be refiling today.</p>			
32905	4/23/2013 4:34:00 PM		ddbearch
<p>Worked with Mr. Gibson - helped him amend Q1 to clear date errors - report submitted - free from errors.</p>			
32231	1/24/2013 8:39:00 AM		MCChellman
<p>Ongoing conversation with Kaomi of Madison County SOE & the CAN. Kaomi says that she mailed a PET Ver to us on approximately 1/11/13 and has a certified green card stamped received by the DOS mailroom confirming receipt. We in the Bureau have not received this as yet. After waiting until today for the letter to arrive, I called Kaomi and had her re-send the PET Ver, along with a brief cover stating that this was the 2nd mailing, and copying us with the proof of delivery in case that might help us. She said she had noted "Petition Certification" on the front of the envelope, and I thought a mail person might have seen Certification and thought corporations. Madison County's second mailing would reference KRB and our Bureau. She said she would re-send it today.</p>			
31105	10/30/2012 10:53:00 AM		mcchellman
<p>Candidate called related to petition verifications allegedly sent to us from Madison county. I informed him that he needed to contact the county. He said he did, and that Madison county had told him that they had sent their verifications notification to us approximately a week ago. I told him the most recent submittal we had from Madison county was 6/01/11, and that he'd need to contact the county again regarding the matter if his figures don't match what is on our website.</p>			
28336	4/5/2012 4:24:00 PM		lbelvin
<p>RE: Q1 report missing in system</p> <p>Mr. Gibson called because he could not find his report in the system. I thought it was an internet explorer issue so I tried troubleshooting with him but he was unable to move around on the system. She said that he had spoken to someone this morning and they were supposed to call him back. He said he spoke with a guy. I called Lenard and asked him if he had spoken to Mr. Gibson and he said yes. Lenard said that Mr. Gibson's report was missing and Ms. Kristi and Erin are aware of this and are trying to find out why his report is not showing. I explained to Mr. Gibson that Lenard said that once Ms. Kristi finds out about his report she said that our office will give him a call.</p>			
26618	10/6/2011 2:13:00 PM		jmcollins
<p>password reset</p> <p>per signed faxed request Mr. Gibson's password was reset and released to him at 850 322 8815</p>			
23274	3/31/2011 2:00:00 PM		jmcollins
<p>re PINs</p> <p>per signed request Mr. Gibson's candidate and treasurer PINs were released to him in person at the front counter.</p>			